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November 1948

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SUPPLEMENT A

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A Collection of Documentary Evidence and Guide Materials Prepared by the American and British Prosecuting Staffs for Presentation before the International Military Tribunal at Nurnberg, Germany, in the case of

THE UNITED STATES OF AMERICA, THE FRENCH REPUBLIC, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, and THE UNION OF SOVIET SOCIALIST REPUBLICS

— against —

HERMANN WILHELM GOERING, RUDOLF HESS, JOACHIM von RIBBENTROP, ROBERT LEY, WILHELM KEITEL, ERNST KALTENBRUNNER, ALFRED ROSENBERG, HANS FRANK, WILHELM FRICK, JULIUS STREICHER, WALTER FUNK, HJALMAR SCHACHT, GUSTAV KRUPP von BOHLEN und HALBACH, KARL DOENITZ, ERICH RAEDER, BALDUR von SCHIRACH, FRITZ SAUCKEL, ALFRED JODL, MARTIN BORMANN, FRANZ von PAPEN, ARTUR SEYSS-INQUART, ALBERT SPEER, CONSTANTIN von NEURATH, and HANS FRITZSCHE, Individually and as Members of Any of the Following Groups or Organizations to which They Respectively Belonged, Namely: DIE REICHSREGIERUNG (REICH CABINET); DAS KORPS DER POLITISCHEN LEITER DER NATIONALSOZIALISTISCHEN DEUTSCHEN ARBEITERPARTEI (LEADERSHIP CORPS OF THE NAZI PARTY); DIE SCHUTZSTAFFELN DER NATIONALSOZIALISTISCHEN DEUTSCHEN ARBEITERPARTEI (commonly known as the "SS") and including DIE SICHERHEITSDIENST (commonly known as the "SD"); DIE GEHEIME STAATSPOLIZEI (SECRET STATE POLICE, commonly known as the "GESTAPO"); DIE STURMABTEILUNGEN DER N.S.D.A.P. (commonly known as the "SA") and the GENERAL STAFF and HIGH COMMAND of the GERMAN ARMED FORCES all as defined in Appendix B of the Indictment,

Defendants.

PREFACE

The present volume is the first of two supplements designed to complete the publication of documents gathered by the American and British prosecuting staffs at the International Military Tribunal in Nurnberg. While most of the documents in this collection were used in cross-examining those of the major German war criminals who took the witness stand in their own defense, this volume, like its predecessors, also incorporates documents not offered in evidence during the trial but which nevertheless are of general historic interest. It includes, in addition, the Closing Addresses of the American and British Chief Prosecutors and the Closing Addresses for the United States on the Indicated Organizations, all of which set forth in bold relief the main features of the prosecution case.

Because of unavoidable limitations, it has not been possible to realize the hopes expressed in the Preface to the original series, that these supplementary volumes might include the documents introduced in evidence by the prosecuting staffs of France and the Soviet Union. However, in order to provide at least some indications of the important contributions of these nations to the total body of prosecution evidence, this volume contains the Closing Addresses of the French and Soviet Chief Prosecutors, which summarize the high points of their evidence and show the emphasis and flavor of their cases. Moreover, the official transcript of the trial, which the United States Military Government of Germany is now publishing in English as well as in French, Russian and German, will contain English translations of excerpts and in some cases the full text of the French and Soviet documents as read into the record, as well as the full text of all the prosecution exhibits in their original language—in most cases German.

For practical reasons the documents in this Supplement are arranged, as in previous volumes, in numerical order within the various document series. Although this system has obvious disadvantages, arrangement in chronological order would be even less satisfactory, and arrangement by subject matter would either be misleading or involve endless duplication, inasmuch as many documents deal with several different and unrelated topics. But in order to assist the reader interested in documents bearing on a given subject, a careful cross-index at the end of the volume classifies all the documents under topic headings corresponding to the subjects of the various topical and individual defendant briefs in Volumes I and II. By grouping the documents listed at the end of these briefs with the parallel list of references at the end of the present volume, one may quickly find his way to all the documents pertinent to his particular interest. For example, all the materials relative to the Austrian Anschluss may speedily be located by consulting the index following the brief on "Aggression Against Austria" Vol. I (p. 505), and by reference to the same topic in the cross-index at the end of the present volume (p. 1333).

Finally, acknowledgement must be made once again to the Department of State and the War Department for their generous allocation of the funds to make possible the present volume and its companion, Supplement B, which is now in the course of preparation.

6 August 1947

Charles A. Horsky
William E. Jackson
Alma F. Soller
Editors

Approved:

Robert H. Jackson
Chief of Counsel

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RULES OF THE INTERNATIONAL MILITARY TRIBUNAL

Rule 1. Authority to Promulgate Rules.

The present Rules of Procedure of the International Military Tribunal for the trial of the major war criminals (hereinafter called "The Tribunal") as established by the Charter of the Tribunal dated August 8th, 1945 (hereinafter called "the Charter") are hereby promulgated by the Tribunal in accordance with the provisions of Article 13 of Charter.

Rule 2. Notice to Defendants and Right to Assistance of Counsel.

a. Each individual Defendant in custody shall receive not less than 30 days before trial a copy, translated into a language which he understands, (1) of the Indictment, (2) of the Charter, (3) of any other documents lodged with the Indictment, and (4) of a statement of his right to the assistance of counsel as set forth in *d* of this Rule, together with a list of counsel. He shall also receive copies of such rules of procedure as may be adopted by the Tribunal from time to time.

b. Any individual Defendant not in custody shall be informed of the indictment against him and of his right to receive the documents specified in *a* above, by notice in such form and manner as the Tribunal may prescribe.

c. With respect to any group or organization as to which the prosecution indicates its intention to request a finding of criminality by the Tribunal, notice shall be given by publication in such form and manner as the Tribunal may prescribe and such publication shall include a declaration by the Tribunal that all members of the named groups or organizations are entitled to apply to the Tribunal for leave to be heard in accordance with the provisions of Article 9 of the Charter. Nothing herein contained shall be construed to confer immunity of any kind upon such members of said groups or organizations as may appear in answer to said declaration.

d. Each Defendant has the right to conduct his own defense or to have the assistance of counsel. Application for particular counsel shall be filed at once with the General Secretary of the Tribunal at the Palace of Justice, Nurnberg, Germany. The Tribunal will designate counsel for any Defendant who fails to apply for particular counsel or, where particular counsel requested is not within ten days to be found or available, unless the Defendant elects in writing to conduct his own defense. If a Defendant has requested particular counsel who is not immediately to be found or available, such counsel or a counsel of substitute choice may, if found and available before trial, be associated with or substituted for counsel designated by the Tribunal, provided that (1) only one counsel shall be permitted to appear at the trial for any Defendant, unless by special permission of the Tribunal, and (2) no delay of trial will be allowed for making such substitution or association.

Rule 3. Service of Additional Documents.

If, before the trial, the Chief Prosecutors offer amendments or additions to the Indictment, such amendments or additions, including any accompanying documents shall be lodged with the Tribunal and copies of the same, translated into a language which they each understand, shall be furnished to the Defendants in custody as soon as practicable and notice given in accordance with Rule 2*b* to those not in custody.

Rule 4. Production of Evidence for the Defense.

a. The Defense may apply to the Tribunal for the production of witnesses or of documents by written application to the General Secretary of the Tribunal. The application shall state where the witness or document is thought to be located, together with a statement of their last known location. It shall also state the facts proposed to be proved by the witness or the document and the reasons why such facts are relevant to the defense.

b. If the witness or the document is not within the area controlled by the occupation authorities, the Tribunal may request the Signatory and adhering Governments to arrange for the production, if possible, of any such witnesses and any such documents as the Tribunal may deem necessary to proper presentation of the Defense.

c. If the witness or the document is within the area controlled by the occupation authorities, the General Secretary shall, if the Tribunal is not in session, communicate the application to the Chief Prosecutors and, if they make no objection, the General Secretary shall issue a summons for the attendance of such witness or the production of such documents, informing the Tribunal of the action taken. If any Chief Prosecutor objects to the issuance of a summons, or if the Tribunal is in session, the General Secretary shall submit the application to the Tribunal, which shall decide whether or not the summons shall issue.

d. A summons shall be served in such manner as may be provided by the appropriate occupation authority to insure its enforcement and the General Secretary shall inform the Tribunal of the steps taken.

e. Upon application to the General Secretary of the Tribunal, a Defendant shall be furnished with a copy, translated into a language which he understands, of all documents referred to in the Indictment so far as they may be made available by the Chief Prosecutors and shall be allowed to inspect copies of any such documents as are not so available.

Rule 5. Order at the Trial.

In conformity with the provisions of Article 18 of the Charter, and the disciplinary powers therein set out, the Tribunal, acting through its President, shall provide for the maintenance of order at the trial. Any defendant or any other person may be excluded from open sessions of the Tribunal for failure to observe and respect the directives and dignity of the Tribunal.

Rule 6. Oaths; Witnesses.

a. Before testifying before the Tribunal, each witness shall make such oath or declaration as is customary in his own country.

b. Witnesses while not giving evidence shall not be present in court. The President of the Tribunal shall direct, as circumstances demand, that witnesses shall not confer among themselves before giving evidence.

Rule 7. Applications and Motions before Trial and Rulings during the Trial.

a. All motions, applications, or other requests addressed to the Tribunal prior to the commencement of trial shall be made in writing and filed with the General Secretary of the Tribunal at the Palace of Justice, Nurnberg, Germany.

b. Any such motion, application or other request shall be communicated by the General Secretary of the Tribunal to the Chief Prosecutors and, if they make no objection, the President of the Tribunal may make the appropriate order on behalf of the Tribunal. If any Chief Prosecutor objects, the President may call a special session of the Tribunal for the determination of the question raised.

c. The Tribunal, acting through its President, will rule in court upon all questions arising during the trial, such as questions as to admissibility of evidence offered during the trial, recesses, and motions, and before so ruling the Tribunal may, when necessary, order the closing or clearing of the Tribunal or take any other steps which to the Tribunal seem just.

Rule 8. Secretariat of the Tribunal.

a. The Secretariat of the Tribunal shall be composed of a General Secretary, four Secretaries and their Assistants. The Tribunal shall appoint the General Secretary and each Member shall appoint one Secretary. The General Secretary shall appoint such clerks, interpreters, stenographers, ushers, and all such other persons as may be authorized by the Tribunal and each Secretary may appoint such assistants as may be authorized by the Member of the Tribunal by whom he was appointed.

b. The General Secretary, in consultation with the Secretaries, shall organize and direct the work of the Secretariat, subject to the approval of the Tribunal in the event of a disagreement by any Secretary.

c. The Secretariat shall receive all documents addressed to the Tribunal, maintain the records of the Tribunal, provide necessary clerical services to the Tribunal and its Members and perform such other duties as may be designated by the Tribunal.

d. Communications addressed to the Tribunal shall be delivered to the General Secretary.

Rule 9. Record, Exhibits and Documents.

a. A stenographic record shall be maintained of all oral proceedings. Exhibits will be suitably identified and marked with consecutive numbers. All exhibits and transcripts of the proceedings and all documents lodged with and produced to the Tribunal will be filed with the General Secretary of the Tribunal and will constitute part of the Record.

b. The term "official documents" as used in Article 25 of the Charter includes the indictment, rules, written motions, orders that are reduced to writing, findings, and judgments of the Tribunal. These shall be in the English, French, Russian, and German languages. Documentary evidence or exhibits may be received in the language of the document, but a translation thereof into German shall be made available to the Defendants.

c. All exhibits and transcripts of proceedings, all documents lodged with and produced to the Tribunal and all official acts and documents of the Tribunal may be certified by the General Secretary of the Tribunal to any Government or to any other Tribunal or wherever it is appropriate that copies of such documents or representations as to such acts should be supplied upon a proper request.

Rule 10. Withdrawal of Exhibits and Documents.

In cases were original documents are submitted by the Prosecution or the Defense as evidence, and upon a showing (a) that because of historical interest or for any other reason one of the Governments signatory to the Four Power Agreement of 8th August, 1945, or any other government having received the consent of said four signatory Powers, desires to withdraw from the records of the Tribunal and preserve any particular original documents and (b) that no substantial injustice will result, the Tribunal shall permit photostatic copies of said original documents, certified by the General Secretary of the Tribunal, to be substituted for the originals in the records of the court and shall deliver said original documents to the applicants.

Rule 11. Effective Date and Powers of Amendment and Addition.

These Rules shall take effect upon their approval by the Tribunal. Nothing herein contained shall be construed to prevent the Tribunal from, at any time, in the interest of fair and expeditious trials, departing from, amending, or adding to these Rules, either by general rules or special orders for particular cases, in such form and upon such notice as may appear just to the Tribunal.

CLOSING ADDRESS FOR THE UNITED STATES OF AMERICA

by

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MR. PRESIDENT AND MEMBERS OF THE TRIBUNAL:

An advocate can be confronted with few more formidable tasks than to select his closing arguments where there is great disparity between his appropriate time and his available material. In eight months — a short time as state trials go — we have introduced evidence which embraces as vast and varied a panorama of events as has ever been compressed within the framework of a litigation. It is impossible in summation to do more than outline with bold strokes the vitals of this trial's mad and melancholy record, which will live as the historical text of the Twentieth Century's shame and depravity.

It is common to think of our own time as standing at the apex of civilization, from which the deficiencies of preceding ages may patronizingly be viewed in the light of what is assumed to be "progress." The reality is that in the long perspective of history the present century will not hold an admirable position, unless its second half is to redeem its first. These two-score years in this Twentieth Century will be recorded in the book of years as one of the most bloody in all annals. Two World Wars have left a legacy of dead which number more than all the armies engaged in any war that made ancient or medieval history. No half-century ever witnessed slaughter on such a scale, such cruelties and inhumanities, such wholesale deportations of peoples into slavery, such annihilations of minorities. The Terror of Torquemada pales before the Nazi Inquisition. These deeds are the overshadowing historical facts by which generations to come will remember this decade. If we cannot eliminate the causes and prevent the repetition of these barbaric events, it is not an irresponsible prophecy to say that this Twentieth Century may yet succeed in bringing the doom of civilization.

Goaded by these facts, we have moved to redress the blight on the record of our era. The defendants complain that our pace is too fast. In drawing the Charter of this Tribunal, we thought we were recording an accomplished advance in International Law But they say that we have outrun our times, that we have anticipated an advance that should be, but has not yet been made The Agreement of London, whether it originates or merely records, at all events marks a transition in International Law which roughly corresponds to that in the evolution of local law when men ceased to punish local crime by "hue and cry" and began to let reason and inquiry govern punishment. The society of nations has emerged from the primitive "hue and cry," the law of "catch and kill." It seeks to apply sanctions to enforce International Law, but to guide their application by evidence, law, and reason instead of outcry. The defendants denounce the law under which their accounting is asked. Their dislike for the law which condemns them is not original. It has been remarked before that—

"No thief ere felt the halter draw
With good opinion of the law."

I shall not labor the law of this case. The position of the United States was explained in my opening statement. My distinguished colleague, the Attorney General of Great Britain, will reply on behalf of all the Chief Prosecutors to the defendants' legal attack. At this stage of the proceedings, I shall rest upon the law of these crimes as laid down in the Charter. The defendants, who except for the Charter would have no right to be heard at all, now ask that the legal basis of this trial be nullified. This Tribunal, of course, is given no power to set aside or to modify the Agreement between the Four Powers, to which nineteen other nations have adhered. The terms of the Charter are conclusive upon every party to these proceedings.

In interpreting the Charter, however, we should not overlook the unique and emergent character of this body as an International Military Tribunal. It is no part of the constitutional mechanism of internal justice of any of the signatory nations. Germany has unconditionally surrendered, but no peace treaty has been signed or agreed upon. The Allies are still technically in a state of war with Germany, although the enemy's political and military institutions have collapsed. As a Military Tribunal, it is a continuation of the war effort of the Allied nations. As an International Tribunal, it is not bound by the procedural and substantive refinements of our respective judicial or constitutional systems, nor will its rulings introduce precedents into any country's internal system of civil justice. As an International Military Tribunal, it rises above the provincial and transient and seeks guidance not only from International Law but also from the basic principles of jurisprudence which are assumptions of civilization and which long have found embodiment in the codes of all nations.

Of one thing we may be sure. The future will never have to ask, with misgiving, what could the Nazis have said in their favor. History will know that whatever could be said, they were allowed to say. They have been given the kind of a trial which they, in the days of their pomp and power, never gave to any man.

But fairness is not weakness. The extraordinary fairness of these hearings is an attribute to our strength. The prosecution's case, at its close, seemed inherently unassailable because it rested so heavily on German documents of unquestioned authenticity. But it was the weeks upon weeks of pecking at this case by one after another of the defendants that has demonstrated its true strength. The fact is that the testimony of the defendants has removed any doubts of guilt which, because of the extraordinary nature and magnitude of these crimes, may have existed before they spoke. They have helped write their own judgment of condemnation.

But justice in this case has nothing to do with some of the arguments put forth by the defendants or their counsel. We have not previously and we need not now discuss the merits of all their obscure and tortuous philosophy. We are not trying them for possession of obnoxious ideas. It is their right, if they choose to renounce the Hevraic heritage in the civilization of which Germany was once a part. Nor is it our affair that they repudiated the Hellenic influence as well. The intellectual bankruptcy and moral perversion of the Nazi regime might have been no concern of International Law had it not been utilized to goosestep the Herrenvolk across international frontiers. It is not their thoughts, it is their overt acts which we charge to be crimes. Their creed and teachings are important only as evidence of motive, purpose, knowledge, and intent.

We charge unlawful aggression but we are not trying the motives, hopes, or frustrations which may have led Germany to resort to aggressive war as an instrument of policy. The law, unlike politics, does not concern itself with the good or evil in the *status quo*, nor with the merits of grievances against it. It merely requires that the *status quo* be not attacked by violent means and that policies be not advanced by war. We may admit that overlapping ethnological and cultural groups, economic barriers, and conflicting national ambitions created in the 1930's, as they will continue to create, grave problems for Germany as well as for the other peoples of Europe. We may admit too that the world had failed to provide political or legal remedies which would be honorable and acceptable alternatives to war. We do not underwrite either the ethics or the wisdom of any country, including my own, in the face of these problems. But we do say that it is now, as it was for some time prior to 1939, illegal and criminal for Germany or any other nation to redress grievances or seek expansion by resort to aggressive war.

Let me emphasize one cardinal point. The United States has no interest which would be advanced by the conviction of any defendant if we have not proved him guilty on at least one of the counts charged against him in the Indictment. Any result that the calm and critical judgment of posterity would pronounce unjust, would not be a victory for any of the countries associated in this prosecution. But in summation we now have before us the tested evidences of criminality and have heard the flimsy excuses and paltry evasions of the defendants. The suspended judgment with which we opened this case is no longer appropriate. The time has come for final judgment and if the case I present seems hard and uncompromising, it is because the evidence makes it so.

I perhaps can do no better service than to try to lift this case out of the morass of detail with which the record is full and put before you only the bold outlines of a case that is impressive in its simplicity. True, its thousands of documents and more thousands of pages of testimony deal with an epoch and cover a Continent, and touch almost every branch of human endeavor. They illuminate specialties, such as diplomacy, naval development and warfare, land warfare, the genesis of air warfare, the politics of the Nazi rise to power, the finance and economics of totalitarian war, sociology, penology, mass psychology, and mass pathology. I must leave it to experts to comb the evidence and write volumes on their specialties, while I picture in broad strokes the offenses whose acceptance as lawful would threaten the continuity of civilization. I must, as Kipling put it, "splash at a ten-league canvas with brushes of comet's hair."

The Crimes of the Nazi Regime

The strength of the case against these defendants under the conspiracy count, which it is the duty of the United States to argue, is in its simplicity. It involves but three ultimate inquiries: First, have the acts defined by the Charter as crimes been committed; second, were they committed pursuant to a common plan or conspiracy; third, are these defendants among those who are criminally responsible?

The charge requires examination of a criminal policy, not of a multitude of isolated, unplanned, or disputed crimes. The substantive crimes upon which we rely, either as goals of a common plan or as means for its accomplishment, are admitted. The pillars which uphold the conspiracy charge may be found in five groups of overt acts, whose character and magnitude are important considerations in appraising the proof of conspiracy.

1. THE SEIZURE OF POWER AND SUBJUGATION OF GERMANY TO A POLICE STATE

The Nazi Party seized control of the German state in 1933. "Seizure of power" is a characterization used by defendants and defense witnesses, and so apt that it has passed into both history and every-day speech.[1]

The Nazi junta in the early days lived in constant fear of overthrow; Goering, in 1934, pointed out that its enemies were legion and said:

> "Therefore the concentration camps have been created, where we have first confined thousands of Communists and Social Democrat functionaries."[2]

In 1933 Goering forecast the whole program of purposeful cruelty and oppression when he publicly announced:

> "Whoever in the future raises a hand against a representative of the National Socialist movement or of the State, must know that he will lose his life in a very short while."[3]

New political crimes were created to this end. It was made a treason, punishable with death, to organize or support a political party other than the Nazi party.[4] Circulating a false or exaggerated statement, or one which would harm the state or even the Party, was made a crime.[5] Laws were enacted of such ambiguity that they could be used to punish almost any innocent act. It was, for example, made a crime to provoke "any act contrary to the public welfare."[6]

The doctrine of punishment by analogy was introduced to enable conviction for acts which no statute forbade.[7] Minister of Justice Guertner explained that National Socialism considered every violation of the goals of life which the community set up for itself to be a wrong *per se,* and that the act could be punished even though it was not contrary to existing "formal" law.[8]

The Gestapo and the SD were instrumentalities of an espionage system which penetrated public and private life.[9] Goering controlled a personal wire-tapping unit.[10] All privacy of communication was abolished.[11] Party *blockleiters,* appointed over every 50 households, continuously spied on all within their ken.[12] Upon the strength of this spying individuals were dragged off to "protective custody" and to concentration camps, without legal proceedings of any kind,[13] and without statement of any reason therefor.[14] The partisan political police were exempted from effective legal responsibility for their acts.[15]

With all administrative offices in Nazi control and with the Reichstag reduced to impotence; the judiciary remained the last obstacle to this reign of terror.[16] But its independence was soon overcome and it was reorganized to dispense a venal justice.[17] Judges were ousted for political or racial reasons and were spied upon and put under pressure to join the Nazi Party.[18] After the Supreme Court had acquitted three of the four men whom the Nazis accused of setting the Reichstag fire, its jurisdiction over treason cases was transferred to a newly established "People's Court" consisting of two judges and five party officials.[19] The German film of this "People's Court" in operation, which we showed in this chamber, revealed its presiding judge pouring partisan abuse upon speechless defendants.[20] Special courts were created to try political crimes, only party members were appointed judges,[21] and "Judges' letters" instructed the puppet judges as to the "general lines" they must follow.[22]

The result was the removal of all peaceable means either to resist or to change the government. Having sneaked through the portals of power, the Nazis slammed the gate in the face of all others who might also aspire to enter. Since the law was what the Nazis said it was, every form of opposition was rooted out, and every dissenting voice throttled. Germany was in the clutch of a police state, which used the fear of the concentration camp as a means to enforce non-resistance. The Party was the State, the State was the Party, and terror by day and death by night were the policy of both.

2. THE PREPARATION AND WAGING OF WARS OF AGGRESSION.

From the moment the Nazis seized power, they set about feverish but stealthy efforts, in defiance of the Versailles Treaty, to arm for war. In 1933 they found no airforce. By 1939 they had 21 squadrons, consisting of 240 echelons or about 2,400 first-line planes, together with trainers and transports. In 1933 they found an army of 3 infantry and 3 cavalry divisions. By 1939 they had raised and equipped an army of 51 divisions, four of which were fully motorized and four of which were panzer divisions. In 1933 they found a navy of one cruiser and 6 light cruisers. By 1939 they had built a navy of 4 battleships, 1 aircraft carrier, 6 cruisers, 22 destroyers, and 54 submarines. They had also built up in that period an armament industry as efficient as that of any country in the world.[23]

These new weapons were put to use, commencing in September 1939, in a series of undeclared wars against nations with which Germany had arbitration and non-aggression treaties, and in violation of repeated assurances.[24] In September 1, 1939 this rearmed Germany attacked Poland. The following April witnessed the invasion and occupation of Denmark and Norway, and May saw the over-running of Belgium, the Netherlands, and Luxembourg. Another spring found Yugoslavia and Greece under attack, and in June 1941 came the invasion of Soviet Russia. Then Japan, which Germany had embraced as a partner, struck without warning at Pearl Harbor in December 1941, and four days later Germany declared war on the United States.

We need not trouble ourselves about the many abstract difficulties that can be conjured up about what constitutes aggression in doubtful cases. I shall show you, in discussing the conspiracy, that by any test ever put forward by any responsible authority, by all the canons of plain sense, these were unlawful wars of aggression in breach of treaties and in violation of assurances.

3. WARFARE IN DISREGARD OF INTERNATIONAL LAW.

It is unnecessary to labor this point on the facts. Goering asserts that the Rules of Land Warfare were obsolete, that no nation could fight a total war within their limits.[25] He testified that the Nazis would have denounced the Conventions to which Germany was a party, but that General Jodl wanted captured German soldiers to continue to benefit from their observance by the Allies.[26]

It was, however, against the Soviet people and Soviet prisoners that Teutonic fury knew no bounds, in spite of a warning by Admiral Canaris that the treatment was in violation of International Law.[27]

We need not, therefore, for purposes of the Conspiracy count, recite the revolting details of starving, beating, murdering, freezing, and mass extermination admittedly used against the eastern soldiery. Also, we may take as established or admitted that lawless conduct such as shooting British and American airmen, mistreatment of Western prisoners of war, forcing French prisoners of war into German war work, and other deliberate violations of the Hague and Geneva Conventions, did occur, and in obedience to highest levels of authority.[28]

4. ENSLAVEMENT AND PLUNDER OF POPULATIONS IN OCCUPIED COUNTRIES.

The defendant Sauckel, Plenipotentiary General for the Utilization of Labor,[29] is authority for the statement that "out of five million foreign workers who arrived in Germany, not even 200,000 came voluntarily."[30] It was officially reported to defendant Rosenberg that in his territory "recruiting methods were used which probably have their origin in the blackest period of the slave trade."[31] Sauckel himself reported that male and female agents went hunting for men, got them drunk, and "shanghaied" them to Germany.[32] These captives were shipped in trains without heat, food, or sanitary facilities. The dead were thrown out at stations, and the newborn were thrown out the windows of moving trains.[33]

Sauckel ordered that "all the men must be fed, sheltered and treated in such a way as to exploit them to the highest possible extent at the lowest conceivable degree of expenditure."[34] About two million of these were employed directly in the manufacture of armaments and munitions.[35] The director of the Krupp Locomotive factory in Essen complained to the company that Russian forced laborers were so underfed that they were too weakened to do their work,[36] and the Krupp doctor confirmed their pitiable condition.[37] Soviet workers were put in camps under Gestapo guards, who were allowed to punish disobedience by confinement in a concentration camp or by hanging on the spot.[38]

Populations of occupied countries were otherwise exploited and oppressed unmercifully. Terrorism was the order of the day. Civilians were arrested without charges, committed without counsel, executed without hearing. Villages were destroyed, the male inhabitants shot or sent to concentration camps, the women sent to forced labor, and the children scattered abroad.[39] The extent of the slaughter in Poland alone was indicated by Frank, who reported:

> "If I wanted to have a poster put up for every seven Poles who were shot, the forests of Poland would not suffice for producing the paper for such posters."[40]

Those who will enslave men cannot be expected to refrain from plundering them. Boastful reports show how thoroughly and scientifically the resources of occupied lands were sucked into the German war economy, inflicting shortage, hunger, and inflation upon the inhabitants.[41] Besides this grand plan to aid the German war effort there were the sordid activities of the Rosenberg Einsatzstab, which pillaged art treasures for Goering and his fellow-bandits.[42] It is hard to say whether the spectacle of Germany's No. 2 leader urging his people to give up every comfort and strain every sinew on essential war work while he rushed around confiscating art by the trainload should be cast as tragedy or comedy. In either case it was a crime.

International Law at all times before and during this war spoke with precision and authority respecting the protection due civilians of an occupied country,[43] and the slave trade and plunder of occupied countries was at all times flagrantly unlawful.

5. PERSECUTION AND EXTERMINATION OF JEWS AND CHRISTIANS

The Nazi movement will be of evil memory in history because of its persecution of the Jews, the most far-flung and terrible racial persecution of all time. Although the Nazi party neither invented nor monopolized anti-Semitism, its leaders from the very beginning embraced it, incited it, and exploited it. They used it as "the psychological spark that ignites the mob." After the seizure of power, it became an official state policy. The persecution began in a series of discriminatory laws eliminating the Jews from the civil service, the professions, and economic life. As it became more intense it included segregation of Jews in ghettos, and exile. Riots were organized by party leaders to loot Jewish business places and to burn synagogues. Jewish property was confiscated and a collective fine of a billion marks was imposed upon German Jewry. The program progressed in fury and irresponsibility to the "final solution." This consisted of sending all Jews who were fit to work to concentration camps as slave laborers, and all who were not fit, which included children under 12 and people over 50, as well as any others judged unfit by an SS doctor, to concentration camps for extermination.[44]

Adolf Eichmann, the sinister figure who had charge of the extermination program, has estimated that the anti-Jewish activities resulted in the killing of six million Jews. Of these, four million were killed in extermination institutions, and two million were killed by *Einsatzgruppen*, mobile units of the Security Police and SD which pursued Jews in the ghettos and in their homes and slaughtered them by gas wagons, by mass shooting in anti-tank ditches, and by every device which Nazi ingenuity could conceive. So thorough and uncompromising was this program that the Jews of Europe as a race no longer exist, thus fulfilling the diabolic "prophecy" of Adolf Hitler at the beginning of the war.[45]

Of course, any such program must reckon with the opposition of the Christian Church. This was recognized from the very beginning. Defendant Bormann wrote all Gauleiters in 1941 that "National Socialism and Christian concepts are irreconcilable," and that the people must be separated from the Churches and the influence of the Churches totally removed.[46] Defendant Rosenberg even wrote dreary treatises advocating a new and weird Nazi religion.[47]

The Gestapo appointed "Church specialists" who were instructed that the ultimate aim was "destruction of the confessional Churches."[48] The record is full of specific instances of the persecution of clergymen,[49] the confiscation of Church property,[50] interference with religious publications,[51] disruption of religious education,[52] and suppression of religious organizations.[53]

The chief instrumentality for persecution and extermination was the concentration camp, sired by defendant Goering and nurtured under the overall authority of defendants Frick and Kaltenbrunner.

The horrors of these iniquitous places have been vividly disclosed by documents[54] and testified to by witnesses.[55] The Tribunal must be satiated with ghastly verbal and pictorial portrayals. From your records it is clear that the concentration camps were the first and worst weapons of oppression used by the National Socialist State, and that they were the primary means utilized for the persecution of the Christian Church and the extermination of the Jewish race. This has been admitted to you by some of the defendants from the witness stand.[56] In the words of defendant Frank:

> "A thousand years will pass and this guilt of Germany will still not be erased."[57]

These, then, were the five great substantive crimes of the Nazi regime. Their commission, which cannot be denied, stands admitted. The defendant Keitel, who is in a position to know the facts, has given the Tribunal what seems to be a fair summation of the case on these facts:

> "The defendant has declared that he admits the contents of the general indictment to be proved from the objective and factual point of view (that is to say, not every individual case) and this in consideration of the law of procedure governing this trial. It would be senseless, despite the possibility of refuting several documents or individual facts to attempt to shake the indictment as a whole."[58]

I pass now to the inquiry whether these groups of criminal acts were integrated in a common plan or conspiracy.

THE COMMON PLAN OR CONSPIRACY

The prosecution submits that these five categories of premeditated crimes were not separate and independent phenomena but that all were committed pursuant to a common plan or conspiracy. The defense admits that these classes of crimes were committed but denies that they are connected one with another as parts of a single program.

The central crime in this pattern of crime, the kingpin which holds them all together, is the plot for aggressive war. The chief reason for international cognizance of these crimes lies in this fact. Have we established the plan or conspiracy to make agressive war?

Certain admitted or clearly proven facts help answer that question. First is the fact that such war of aggression did take place. Second, it is admitted that from the moment the Nazis came to power, every one of them and every one of the defendants worked like beavers to prepare for some war. The question therefore comes to this: Were they preparing for the war which did occur, or were they preparing for some war which never has happened? It is probably true that in the early days none of them had in mind what month of what year war would begin, the exact dispute which would precipitate it, or whether its first impact would be Austria, Czechoslovakia, or Poland. But I submit that the defendants either knew or are chargeable with knowledge that the war for which they were making ready would be a war of German aggression. This is partly because there was no real expectation that any power or combination of powers would attack Germany. But it is chiefly because the inherent nature of the German plans was such that they were certain sooner or later to meet resistance and that they could then be accomplished only by aggression.

The plans of Adolf Hitler for aggression were just as secret as "MEIN KAMPF," of which over six million copies were published in Germany. He not only openly advocated overthrowing the Treaty of Versailles, but made demands which went far beyond a mere rectification of its alleged injustices.[59] He avowed an intention to attack neighboring states and seize their lands,[60] which he said would have to be won with "the power of a triumphant sword."[61] Here, for every German to hearken to, were the "ancestral voices prophesying war."

Goering has testified in this courtroom that at his first meeting with Hitler long before the seizure of power:

> "I noted that Hitler had a definite view of the impotency of protest and, as a second point, that he was of the opinion that Germany should be freed of the Peace of Versailles. * * * We did not say we shall have to have a war and defeat our enemies; this was the aim and the methods had to be adapted to the political situation."[62]

When asked if this goal were to be accomplished by war if necessary, Goering did not deny that eventuality but evaded a direct answer by saying, "We did not even debate about those things at that time." He went on to say that the aim to overthrow the Treaty of Versailles was open and notorious and that "every German in my opinion was for its modification, and there was no doubt that this was a strong inducement for joining the party."[63] Thus, there can be no possible excuse for any person who aided Hitler to get absolute power over the German people, or took a part in his regime, to fail to know the nature of the demands he would make on Germany's neighbors.

Immediately after the seizure of power the Nazis went to work to implement these aggressive intentions by preparing for war. They first enlisted German industrialists in a secret rearmament program. Twenty days after the seizure of power Schacht was host to Hitler, Goering, and some twenty leading industrialists. Among them were Krupp von Bohlen of the great Krupp armament works and representatives of I. G. Farben and other Ruhr heavy industries. Hitler and Goering explained their program to the industrialists, who became so enthusiastic that they set about to raise three million Reichsmarks to strengthen and confirm the Nazi Party in power.[64] Two months later Krupp was working to bring a reorganized association of German industry into agreement with the political aims of the Nazi government.[65] Krupp later boasted of the success in keeping the German war industries secretly alive and in readiness despite the disarmament clauses of the Versailles Treaty, and recalled the industrialists' enthusiastic acceptance of "the great intentions of the Fuehrer in the rearmament period of 1933–39."[66]

Some two months after Schacht had sponsored this first meeting to gain the support of the industrialists, the Nazis moved to harness industrial labor to their aggressive plan. In April 1933 Hitler ordered Dr. Ley "to take over the trade unions," numbering some 6 million members. By Party directive Ley seized the unions, their property, and their funds. Union leaders, taken into "protective custody" by the SS and SA, were put into concentration camps.[67] The free labor unions were then replaced by a Nazi organization known as the German Labor Front, with Dr. Ley as its head. It was expanded until it controlled over 23 million members.[68] Collective bargaining was eliminated, the voice of labor could no longer be heard as to working conditions, and the labor contract was prescribed by "trustees of labor" appointed by Hitler.[69] The war purpose of this labor program was clearly acknowledged by Robert Ley five days after war broke out, when he declared in a speech that:

> "We National Socialists have monopolized all resources and all our energies during the past seven years so as to be able to be equipped for the supreme effort of battle."[70]

The Nazis also proceeded at once to adapt the government to the needs of war. In April 1933 the Cabinet formed a Defense Council, the working committee of which met frequently thereafter. In the meeting of 23 May 1933, at which defendant Keitel presided, the members were instructed that:

> "No document must be lost since otherwise the enemy propaganda would make use of it. Matters communicated orally cannot be proven; they can be denied by us in Geneva."[71]

In January 1934, with defendant Jodl present, the Council planned a mobilization calendar and mobilization order for some 240,000 industrial plants. Again it was agreed that nothing should be in writing so that "the military purpose may not be traceable."[72]

On May 21, 1935 the top secret Reich Defense Law was enacted. Defendant Schacht was appointed Plenipotentiary General for War Economy with the task of secretly preparing all economic forces for war and, in the event of mobilization, of financing the war.[73] Schacht's secret efforts were supplemented in October 1936 by the appointment of defendant Goering as Commissioner of the Four-Year Plan, with the duty of putting the entire economy in a state of readiness for war within four years.[74]

A secret program for the accumulation of the raw materials and foreign credits necessary for extensive rearmament, was also set on foot immediately upon seizure of power. In September of 1934 the Minister of Economics was already complaining that:

> "The task of stockpiling is being hampered by the lack of foreign currency; the need for secrecy and camouflage also is a retarding influence."[75]

Foreign currency controls were at once established.[76] Financing was delegated to the wizard Schacht, who conjured up the MEFO Bill to serve the dual objectives of tapping the short-term money market for rearmament purposes while concealing the amount of these expenditures.[77]

The spirit of the whole Nazi administration was summed up by Goering at a meeting of the Council of Ministers, which included Schacht, on 27 May 1936, when he said:

> "All measures are to be considered from the standpoint of an assured waging of war."[78]

The General Staff, of course, also had to be enlisted in the war plans. Most of the Generals, attracted by the prospect of rebuilding their armies, became willing accomplices. The hold-over Minister of War von Blomberg and the Chief of Staff General von Fritsch, however, were not cordial to the increasingly belligerent policy of the Hitler regime, and by vicious and obscene plotting they were discredited and removed in January 1938.[79] Thereupon, Hitler assumed for himself Supreme Command of the Armed Forces, and the positions of von Blomberg and von Fritsch were filled by others who became, as Blomberg said of Keitel, "a willing tool in Hitler's hands for every one of his decisions."[80] The Generals did not confine their participation to merely military matters. They participated in all major diplomatic and political maneuvers, such as the Obersalzburg meeting where Hitler, flanked by Keitel and other top Generals, issued his virtual ultimatum to Schuschnigg.[81]

As early as November 5, 1937, the plan to attack had begun to take definiteness as to time and victim. In a meeting which included defendants Raeder, Goering, and von Neurath, Hitler stated the cynical objective:

> "The question for Germany is where the greatest possible conquest could be made at the lowest possible cost."

He discussed various plans for the invasion of Austria and Czechoslovakia, indicating clearly that he was thinking of these territories not as ends in themselves, but as means for further conquest. He pointed out that considerable military and political assistance would be afforded by possession of these lands and discussed the possibility of constituting from them new armies up to a strength of about 12 divisions. The aim he stated boldly and baldly as the acquisition of additional living space in Europe, and recognized that "The German question can be solved only by way of force."[82]

Six months later, emboldened by the bloodless Austrian conquest, Hitler, in a secret directive to Keitel, stated his "unalterable decision to smash Czechoslovakia by military action in the near future."[83] On the same day, Jodl noted in his diary that the Fuehrer had stated his final decision to destroy Czechoslovakia soon and had initiated military preparations all along the line.[84] By April the plan had been perfected to attack Czechoslovakia "with lightning swift action as the result of an 'incident'."[85]

All along the line preparations became more definite for a war of expansion on the assumption that it would result in world-wide conflict. In September 1938 Admiral Carls officially commented on a "Draft Study of Naval Warfare Against England":

> "There is full agreement with the main theme of the study.
>
> "1. If according to the Fuehrer's decision Germany is to acquire a position as a world power, she needs not only sufficient colonial posssessions but also secure naval communications and secure access to the ocean.

> "2. Both requirements can only be fulfilled in opposition to Anglo-French interests and will limit their position as world powers. It is unlikely that they can be achieved by peaceful means. The decision to make Germany a world power therefore forces upon us the necessity of making the corresponding preparations for war.
>
> "3. War against England means at the same time war against the Empire, against France, probably against Russia as well, and a large number of countries overseas; in fact, against one-half to one-third of the whole world.
>
> "It can only be justified and have a chance of success if it is prepared economically as well as politically and militarily and waged with the aim of conquering for Germany an outlet to the ocean."[86]

This Tribunal knows what categorical assurances were given to an alarmed world after the Anschluss, after Munich, and after the occupation of Bohemia and Moravia, that German ambitions were realized and that Hitler had "No further territorial demands to make in Europe."[87] The record of this trial shows that those promises were calculated deceptions and that those high in the bloody brotherhood of Nazidom knew it.

As early as April 15, 1938 Goering pointed out to Mussolini and Ciano that the possession of those territories would make possible an attack on Poland.[88] Ribbentrop wrote on August 26, 1938 that:

> "After the liquidation of the Czechoslovakian question, it will be generally assumed that Poland will be next in turn."[89]

Hitler, after the Polish invasion, boasted that it was the Austrian and Czechoslovakian triumphs by which "the basis for the action against Poland was laid."[90] Goering suited the act to the purpose and gave immediate instructions to exploit for the further strengthening of Germany the war potential, first of the Sudetenland, and then of the whole Protectorate.[91]

By May of 1939 the Nazi preparations had ripened to the point that Hitler confided to defendants Goering, Raeder, Keitel, and others, his readiness "to attack Poland at the first suitable opportunity," even though he recognized that "further successes cannot be attained without the shedding of blood." The larcenous motives behind this decision he made plain in words that echoed the covetous theme of "MEIN KAMPF":

> "Circumstances must be adapted to aims. This is impossible without invasion of foreign states or attacks upon foreign property. Living space, in proportion to the magnitude of the

state, is the basis of all power — further successes cannot be attained without expanding our living space in the East * * *"[92]

While a credulous world slumbered, snugly blanketed with perfidious assurances of peaceful intentions, the Nazis prepared not merely as before for a war, but now for the war. The defendants Goering, Keitel, Raeder, Frick, and Funk, with others, met as the Reich Defense Council in June of 1939. The minutes, authenticated by Goering, are revealing evidence of the way in which each step of Nazi planning dovetailed with every other. These five key defendants, three months before the first panzer unit had knifed into Poland, were laying plans for "employment of the population in wartime," and had gone so far as to classify industry for priority in labor supply "after five million servicemen had been called up." They decided upon measures to avoid "confusion when mobilization takes place," and declared a purpose "to gain and maintain the lead in the decisive initial weeks of a war." They then planned to use in production prisoners of war, criminal prisoners, and concentration camp inmates. They then decided on "compulsory work for women in wartime." They had already passed on applications from 1,172,000 specialist workmen for classification as indispensable, and had approved 727,000 of them. They boasted that orders to workers to report for duty "are ready and tied up in bundles at the labor offices." And they resolved to increase the industrial manpower supply by bringing into Germany "hundreds of thousands of workers" from the Protectorate to be "housed together in hutments."[93]

It is the minutes of this significant conclave of many key defendants which disclose how the plan to start the war was coupled with the plan to wage the war through the use of illegal sources of labor to maintain production. Hitler, in announcing his plan to attack Poland, had already foreshadowed the slave labor program as one of its corollaries when he cryptically pointed out to defendants Goering, Raeder, Keitel, and others that the Polish population "will be available as a source of labor."[94] This was the part of the plan made good by Frank, who, as Governor General notified Goering that he would supply "at least one million male and female agricultural and industrial workers to the Reich,"[95] and by Sauckel, whose impressments throughout occupied territory aggregated numbers equal to the total population of some of the smaller nations of Europe.

Here also comes to the surface the link between war labor and concentration camps, a manpower source that was increasingly used and with increasing cruelty. An agreement between Himmler and the Minister of Justice Thierack in 1942 provided for "the delivery of anti-social elements from the execution of their sentence to the Reichs Fuehrer SS to be worked to death."[96] An SS directive provided that bedridden prisoners be drafted for work to be performed in bed.[97] The Gestapo ordered 45,000 Jews arrested to increase the "recruitment of manpower into the concentration camps."[98] One hundred thousand Jews were brought from Hungary to augment the camps' manpower.[99] On the initiative of the defendant Doenitz, concentration camp labor was used in the construction of submarines.[100] Concentration camps were thus geared into war production on the one hand, and into the administration of justice and the political aims of the Nazis on the other.

The use of prisoner-of-war labor as here planned also grew with German needs. At a time when every German soldier was needed at the front and forces were not available at home, Russian prisoners of war were forced to man anti-aircraft guns against Allied planes. Field Marshal Milch reflected the Nazi merriment at this flagrant violation of International Law, saying,

> "* * * This is an amusing thing, that the Russians must work the guns."[101]

The orders for the treatment of Soviet prisoners of war were so ruthless that Admiral Canaris, pointing out that they would "result in arbitrary mistreatments and killings," protested to the OKW against them as breaches of International Law. The reply of Keitel was unambiguous:

> "The objections arise from the military conception of chivalrous warfare! This is the destruction of an ideology! Therefore I approve and back the measures."[102]

The Geneva Convention would have been thrown overboard openly except that Jodl objected because he wanted the benefits of Allied observance of it while it was not being allowed to hamper the Germans in any way.[103]

Other crimes in the conduct of warfare were planned with equal thoroughness as a means of insuring the victory of German arms. In October 1938, almost a year before the start of the war, the large-scale violation of the established rules of warfare was contemplated as a policy, and the Supreme Command circulated a Most Secret list of devious explanations to be given by the Propaganda Minister in such cases.[104] Even before this time commanders of the armed forces were instructed to employ any means of warfare so long as it facilitated victory.[105] After the war was in progress the orders increased in savagery. A typical Keitel order, demanding use of the "most brutal means," provided that

> "* * * It is the duty of the troops to use all means without restriction, even against women and children so long as it insures success."[106]

The German naval forces were no more immune from the infection than the land forces. Raeder ordered violations of the accepted rules of warfare wherever necessary to gain strategic successes.[107] Doenitz urged his submarine crews not to rescue survivors of torpedoed enemy ships in order to cripple merchant shipping of the Allied nations by decimating their crews.[108]

Thus, the war crimes against Allied forces and the crimes against humanity committed in occupied territories are incontestably part of the program of making the war because, in the German calculations, they were indispensable to its hope of success.

Similarly, the whole group of pre-war crimes, including the persecutions within Germany, fall into place around the plan for aggressive war like stones in a finely wrought mosaic. Nowhere is the whole catalogue of crimes of Nazi oppression and terrorism within Germany so well integrated with the crime of war as in that strange mixture of wind and wisdom which makes up the testimony of Hermann Goering. In describing the aims of the Nazi program before the seizure of power, Goering said:

> "The first question was to achieve and establish a different political structure for Germany which would enable Germany to obtain against the Dictate (of Versailles), and not only a protest, but an objection of such a nature that it would actually be considered."[109]

With these purposes, Goering admitted that the plan was made to overthrow the Weimar Republic, to seize power, and to carry out the Nazi program by whatever means were necessary, whether legal or illegal.[110]

From Goering's cross-examination we learn how necessarily the whole program of crime followed.[111] Because they considered a strong state necessary to get rid of the Versailles Treaty, they adopted the Fuehrerprinzip. Having seized power, the Nazis thought it necessary to protect it by abolishing parliamentary government and suppressing all organized opposition from political parties.[112] This was reflected in the philosophy of Goering that the opera was more important than the Reichstag.[113] Even the "opposition of each individual person was not tolerated unless it was a matter of unimportance." To insure the suppression of opposition a secret political police was necessary. In order to eliminate incorrigible opponents, it was necessary to establish concentration camps and to resort to the device of protective custody. Protective custody, Goering testified, meant that

> "people were arrested and taken into protective custody who had committed no crime but who one might expect, if they remained in freedom, would do all sorts of things to damage the German State." [114]

The same purpose was dominant in the persecution of the Jews. In the beginning, fanaticism and political opportunism played a principal part, for anti-semitism and its allied scapegoat mythology was a vehicle on which the Nazis rode to power. It was for this reason that the filthy Streicher and the blasphemous Rosenberg were welcomed to a place at Party rallies and made leaders and officials of the State or Party. But the Nazis soon regard the Jews as foremost amongst the opposition to the police state with which they planned to put forward their plans of military aggression. Fear of their pacifism and their opposition to strident nationalism was given as the reason that the Jews had to be driven from the political and economic life of Germany.[115] Accordingly, they were transported like cattle to the concentration camps, where they were utilized as a source of forced labor for war purposes.

At a meeting held on 12 November 1938, two days after the violent anti-Jewish pogroms instigated by Goebbels and carried out by the Party Leadership Corps and the SA, the program for the elimination of the Jews from the German economy was mapped out by Goering, Funk, Heydrich, Goebbels, and other top Nazis. The measures adopted included confinement of the Jews in ghettos, cutting off their food supply, "aryanizing" their shops, and restricting their freedom of movement.[116] Here another purpose behind the Jewish persecutions crept in, for it was the wholesale confiscation of their property which helped finance German rearmament. Although Schacht's plan to have foreign money ransom the entire race within Germany was not adopted, the Jews were stripped to the point where Goering was able to advise the Reich Defense Council that the critical situation of the Reich exchequer, due to rearmament, had been relieved "through the billion Reichsmark fine imposed on Jewry, and through profits accrued to the Reich in the aryanization of Jewish enterprises."[117]

A glance over the dock will show that, despite quarrels among themselves, each defendant played a part which fitted in with every other, and that all advanced the common plan. It contradicts experience that men of such diverse backgrounds and talents should so forward each other's aims by coincidence.

The large and varied role of Goering was half militarist and half gangster. He stuck a pudgy finger in every pie. He used his SA muscle-men to help bring the gang into power. In order to entrench that power he contrived to have the Reichstag burned, established the Gestapo, and created the concentration camps. He was equally adept at massacring opponents and at framing scandals to get rid of stubborn generals. He built up the Luftwaffe and hurled it at his defenseless neighbors. He was among the foremost in harrying the Jews out of the land. By mobilizing the total economic resources of Germany he made possible the waging of the war which he had taken a large part in planning. He was, next to Hitler, the man who tied the activities of all the defendants together in a common effort.

The parts played by the other defendants, although less comprehensive and less spectacular than that of the Reichsmarshal, were nevertheless integral and necessary contributions to the joint undertaking, without any one of which the success of the common enterprise would have been in jeopardy. There are many specific deeds of which these men have been proven guilty. No purpose would be served — nor indeed is time available — to review all the crimes which the evidence has charged up to their names. Nevertheless, in viewing the conspiracy as a whole and as an operating mechanism it may be well to recall briefly the outstanding services which each of the men in the dock rendered to the common cause.

The zealot HESS, before succumbing to wanderlust, was the engineer tending the Party machinery, passing orders and propaganda down to the Leadership Corps, supervising every aspect of Party activities, and maintaining the organization as a loyal and ready instrument of power. When apprehensions abroad threatened the success of the Nazi scheme for conquest, it was the duplicitous RIBBENTROP, the salesman of deception, who was detailed to pour wine on the troubled waters of suspicion by preaching the gospel of limited and peaceful intentions. KEITEL, weak and willing tool, delivered the armed forces, the instrument of aggression, over to the Party and directed them in executing its felonous designs.

KALTENBRUNNER, the grand inquisitor, took up the bloody mantle of Heydrich to stifle opposition and terrorize compliance, and buttressed the power of National Socialism on a foundation of guiltless corpses. It was ROSENBERG, the intellectual high priest of the "master race," who provided the doctrine of hatred which gave the impetus for the annihilation of Jewry, and put his infidel theories into practice against the eastern occupied territories. His wooly philosophy also added boredom to the long list of Nazi atrocities. The fanatical FRANK, who solidified Nazi control by establishing the new order of authority without law, so that the will of the Party was the only test of legality, proceeded to export his lawlessness to Poland, which he governed with the lash of Caesar and whose population he reduced to sorrowing remnants. FRICK, the ruthless organizer, helped the Party to seize power, supervised the police agencies to insure that it stayed in power, and chained the economy of Bohemia and Moravia to the German war machine.

STREICHER, the venomous vulgarian, manufactured and distributed obscene racial libels which incited the populace to accept and assist the progressively savage operations of "race purification." As Minister of Economics FUNK accelerated the pace of rearmament, and as Reichsbank president banked for the SS the gold teeth fillings of concentration camp victims — probably the most ghoulish collateral in banking history. It was SCHACHT, the facade of starched respectability, who in the early days provided the window dressing, the bait for the hesitant, and whose wizardry later made it possible for Hitler to finance the colossal rearmament program, and to do it secretly.

DOENITZ, Hitler's legatee of defeat, promoted the success of the Nazi aggressions by instructing his pack of submarine killers to conduct warfare at sea with the illegal ferocity of the jungle. RAEDER, the political admiral, stealthily built up the German navy in defiance of the Versailles Treaty, and then put it to use in a series of aggressions which he had taken a large part in planning. VON SCHIRACH, poisoner of a generation, initiated the German youth in Nazi doctrine, trained them in legions for service in the SS and Wehrmacht, and delivered them up to the Party as fanatic, unquestioning executors of its will.

SAUCKEL, the greatest and cruelest slaver since the Pharaohs of Egypt, produced desperately needed manpower by driving foreign peoples into the land of bondage on a scale unknown even in the ancient days of tyranny in the kingdom of the Nile. JODL, betrayer of the traditions of his profession, led the Wehrmacht in violating its own code of military honor in order to carry out the barbarous aims of Nazi policy. VON PAPEN, pious agent of an infidel regime, held the stirrup while Hitler vaulted into the saddle, lubricated the Austrian annexation, and devoted his diplomatic cunning to the service of Nazi objectives abroad.

SEYSS-INQUART, spearhead of the Austrian fifth-column, took over the government of his own country to make a present of it to Hitler, and then, moving north, brought terror and oppression to the Netherlands and pillaged its economy for the benefit of the German juggernaut. VON NEURATH, the old-school diplomat, who cast the pearls of his experience before the Nazis, guided Nazi diplomacy in the early years, soothed the fears of prospective victims, and as Reich Protector of Bohemia and Moravia, strengthened the German position for the coming attack on Poland. SPEER, as Minister of Armaments and War Production, joined in planning and executing the program to dragoon prisoners of war and foreign workers into German war industries which waxed in output while the laborers waned in starvation. FRITZSCHE, radio propaganda chief, by manipulation of the truth goaded German public opinion into frenzied support of the regime and anesthetized the independent judgment of the population so that they did without question their masters' bidding. And BORMANN, who has not accepted our invitation to this reunion, sat at the throttle of the vast and powerful engine of the Party, guiding it in the ruthless execution of Nazi policies, from the scourging of the Christian Church to the lynching of captive Allied airmen.

The activities of all these defendants, despite their varied backgrounds and talents, were joined with the efforts of other conspirators not now in the dock, who played still other essential roles. They blend together into one consistent and militant pattern animated by a common objective to reshape the map of Europe by force of arms. Some of these defendants were ardent members of the Nazi movement from its birth. Others, less fanatical, joined the common enterprise later, after successes had made participation attractive by the promise of rewards. This group of latter-day converts remedied a crucial defect in the ranks of the original true believers, for as Dr. Seimers has pointed out in his summation:

> "***There were no specialists among the National Socialists for the particular tasks. Most of the National Socialist collaborators did not previously follow a trade requiring technical education." [118]

It was the fatal weakness of the early Nazi band that it lacked technical competence. It could not from among its own ranks make up a government capable of carrying out all the projects necessary to realize its aims. Therein lies the special crime and betrayal of men like Schacht and von Neurath, Speer and von Papen, Raeder and Doenitz, Keitel and Jodl. It is doubtful whether the Nazi master plan could have succeeded without their specialized intelligence which they so willingly put at its command.[119] They did so with knowledge of its announced aims and methods, and continued their services after practice had confirmed the direction in which they were tending. Their superiority to the average run of Nazi mediocrity is not their excuse. It is their condemnation.

The dominant fact which stands out from all the thousands of pages of the record of this trial is that the central crime of the whole group of Nazi crimes—the attack on the peace of the world was clearly and deliberately planned. The beginning of these wars of aggression was not an unprepared and spontaneous springing to arms by a population excited by some current indignation. A week before the invasion of Poland Hitler told his military commanders:

> "I shall give a propagandist cause for starting war—never mind whether it be plausible or not. The victor shall not be asked later on whether we told the truth or not. In starting and making a war, not the right is what matters, but victory.[120]

The propagandist incident was duly provided by dressing concentration camp inmates in Polish uniforms, in order to create the appearance of a Polish attack on a German frontier radio station.[121] The plan to occupy Belgium, Holland, and Luxembourg first appeared as early as August 1938 in connection with the plan for attack on Czechoslovakia.[122] The intention to attack became a program in May 1939, when Hitler told his commanders that

> "The Dutch and Belgian air bases must be occupied by armed forces. Declarations of neutrality must be ignored." [123]

Thus, the follow-up wars were planned before the first was launched. These were the most carefully plotted wars in all history. Scarcely a step in their terrifying succession and progress failed to move according to the master blueprint or the subsidiary schedules and timetables until long after the crimes of aggression were consummated.

Nor were the war crimes and the crimes against humanity unplanned, isolated, or spontaneous offenses. Aside from our undeniable evidence of their plotting, it is sufficient to ask whether six million people could be separated from the population of several nations on the basis of their blood and birth, could be destroyed and their bodies disposed of, except that the operation fitted into the general scheme of government. Could the enslavement of five millions of laborers, their impressment into service, their transportation to Germany, their allocation to work where they would be most useful, their maintenance, if slow starvation can be called maintenance, and their guarding have been accomplished if it did not fit into the common plan? Could hundreds of concentration camps located throughout Germany, built to accommodate hundreds of thousands of victims, and each requiring labor and materials for construction, manpower to operate and supervise, and close gearing into the economy—could such efforts have been expended under German autocracy if they had not suited the plan? Has the Teutonic passion for organization become famous for its toleration of non-conforming activity? Each part of the plan fitted into every other. The slave labor program meshed with the needs of industry and agriculture, and these in turn synchronized with the military machine. The elaborate propaganda apparatus geared with the program to dominate the people and incite them to a war their sons would have to fight. The armament industries were fed by the concentration camps. The concentration camps were fed by the Gestapo. The Gestapo was fed by the spy system of the Nazi Party. Nothing was permitted under the Nazi iron rule that was not in accordance with the program. Everything of consequence that took place in this regimented society was but a manifestation of a premeditated and unfolding purpose to secure the Nazi state a place in the sun by casting all others into darkness.

Common Defenses Against the Charge of Common Responsibility

The defendants meet this overwhelming case, some by admitting a limited responsibility,[124] some by putting the blame on others,[125] and some by taking the position, in effect, that while there have been enormous crimes there are no criminals. Time will not permit me to examine each individual and peculiar defense, but there are certain lines of defense common to so many cases that they deserve some consideration.

Counsel for many of the defendants seek to dismiss the conspiracy or common planning charge on the ground that the pattern of the Nazi plan does not fit the concept of conspiracy applicable in German law to the plotting of a highway robbery or a burglary.[126] Their concept of conspiracy is in the terms of a stealthy meeting in the dead of night, in a secluded hideout, in which a group of felons plot every detail of a specific crime. The Charter forestalls resort to such parochial and narrow concepts of conspiracy taken from local law by using the additional and non-technical term, "common plan." Omitting entirely the alternative term of "conspiracy," the Charter reads that "leaders, organizers, instigators, and accomplices participating in the formulation or execution of a common plan to commit" any of the described crimes "are responsible for all acts performed by any persons in execution of such plan."

The Charter concept of a common plan really represents the conspiracy principle in an international context. A common plan or conspiracy to seize the machinery of a state, to commit crimes against the peace of the world, to blot a race out of existence, to enslave millions, and to subjugate and loot whole nations cannot be thought of in the same terms as the plotting of petty crimes, although the same underlying principles are applicable. Little gangsters may plan which will carry a pistol and which a stiletto, who will approach a victim from the front and who from behind, and where they will waylay him. But in planning a war the pistol becomes a Wehrmacht, the stiletto a Luftwaffe. Where to strike is not a choice of dark alleys, but a matter of world geography. The operation involves the manipulation of public opinion, the law of the state, the police power, industry, and finance. The baits and bluffs must be translated into a nation's foreign policy. Likewise, the degree of stealth which points to a guilty purpose in a conspiracy will depend upon its object. The clandestine preparations of a state against international society, although camouflaged to those abroad, might be quite open and notorious among its own people. But stealth is not an essential ingredient of such planning. Parts of the common plan may be proclaimed from the housetops, as anti-Semitism was, and parts of it kept undercover, as rearmament for a long time was. It is a matter of strategy how much of the preparation shall be made public, as was Goering's announcement in 1935 of the creation of an air force, and how much shall be kept covert, as in the case of the Nazis' use of shovels to teach "labor corps" the manual of arms.[127] The forms of this grand type of conspiracy are amorphous, the means are opportunistic, and neither can divert the law from getting at the substance of things.

The defendants contend, however, that there could be no conspiracy involving aggressive war because (1) none of the Nazis wanted war[128]; (2) rearmament was only intended to provide the strength to make Germany's voice heard in the family of nations[129]; and (3) the wars were not in fact aggressive wars but were defensive against a "Bolshevik menace." [130]

When we analyze the argument that the Nazis did not want war it comes down, in substance, to this: "The record looks bad indeed—objectively—but when you consider the state of my mind—subjectively I hated war. I knew the horrors of war. I wanted peace." I am not so sure of this. I am even less willing to accept Goering's description of the General Staff as pacifist.[131] However, it will not injure our case to admit that as an abstract proposition none of these defendants liked war.[132] But they wanted things which they knew they could not get without war. They wanted their neighbors' lands and goods. Their philosophy seems to be that if the neighbors would not acquiesce, then they are the aggressors and are to blame for the war. The fact is, however, that war never became terrible to the Nazis until it came home to them, until it exposed their deceptive assurances to the German people that German cities, like the ruined one in which we meet, would be invulnerable. From then on war was terrible.

But again the defendants claim, "To be sure we were building guns. But not to shoot. They were only to give us weight in negotiating." At its best this argument amounts to a contention that the military forces were intended for blackmail, not for battle. The threat of military invasion which forced the Austrian Anschluss, the threats which preceded Munich, and Goering's threat to bomb the beautiful city of Prague if the President of Czechoslovakia did not consent to the Protectorate,[133] are examples of what the defendants have in mind when they talk of arming to back negotiation.

But from the very nature of German demands, the day was bound to come when some country would refuse to buy its peace, would refuse to pay Dane-geld,—

"For the end of that game is oppression and shame,
And the nation that plays it is lost."

Did these defendants then intend to withdraw German demands, or was Germany to enforce them and manipulate propaganda so as to place the blame for the war on the nation so unreasonable as to resist? Events have answered that question, and documents such as Admiral Carl's memorandum, earlier quoted,[134] leave no doubt that the events occurred as anticipated.

But some of the defendants argue that the wars were not aggressive and were only intended to protect Germany against some eventual danger from the "menace of Communism," which was something of an obsession with many Nazis.

At the outset this argument of self-defense fails because it completely ignores this damning combination of facts clearly established in the record: first, the enormous and rapid German preparations for war; second, the repeatedly avowed intentions of the German leaders to attack, which I have previously cited; and third, the fact that a series of wars occurred in which German forces struck the first blows, without warning, across the borders of other nations.

Even if it could be shown—which it cannot be—that the Russian war was really defensive, such is demonstrably not the case with those wars which preceded it.

It may also be pointed out that even those who would have you believe that Germany was menaced by Communism also compete with each other in describing their position to the disastrous Russian venture.[135] Is it reasonable that they would have opposed that war if it were undertaken in good faith self-defense?

The frivolous character of the self-defense theory on the facts it is sought to compensate, as advocates often do, by resort to a theory of law. Dr. Jahrreiss, in his scholarly argument for the defense, rightly points out that no treaty provision and no principle of law denied Germany, as a sovereign nation, the right of self-defense. He follows with the assertion, for which there is authority in classic International Law, that

> "* * * every state is alone judge of whether in a given case it is waging a war of self-defense." [136]

It is not necessary to examine the validity of an abstract principle which does not apply to the facts of our case. I do not doubt that if a nation arrived at a judgment that it must resort to war in self-defense, because of conditions affording reasonable grounds for such an honest judgment, any Tribunal would accord it great and perhaps conclusive weight, even if later events proved that judgment mistaken.

But the facts in this case call for no such deference to honest judgment because no such judgment was even pretended, much less honestly made.

In all the documents which disclose the planning and rationalization of these attacks, not one sentence has been or can be cited to show a good faith fear of attack. It may be that statesmen of other nations lacked the courage forthrightly and full to disarm. Perhaps they suspected the secret rearmament of Germany. But if they hesitated to abandon arms, they did not hesitate to neglect them. Germany well knew that her former enemies had allowed their armaments to fall into decay, so little did they contemplate another war. Germany faced a Europe that not only was unwilling to attack, but was too weak and pacifist even adequately to defend, and went to the very verge of dishonor, if not beyond, to buy its peace. The minutes we have shown you of the Nazis' secret conclaves identify no potential attacker. They bristle with the spirit of aggression and not of defense. They contemplate always territorial expansion, not the maintenance of territorial integrity.

Minister of War von Blomberg, in his 1937 directive prescribing general principles for the preparation for war of the armed forces, has given the lie to these feeble claims of self-defense. He stated at that time:

> "The general political situation justifies the supposition that

> Germany need not consider an attack on any side. Grounds for this are, in addition to the lack of desire for war in almost all nations, particularly the Western Powers, the deficiencies in the preparedness for war in a number of states and of Russia in particular."

Nevertheless, he recommended

> "a continuous preparedness for war in order to (a) counter-attack at any time, and (b) to enable the military exploitation of politically favorable opportunities should they occur." [137]

If these defendants may now cynically plead self-defense, although no good faith need of self-defense was asserted or contemplated by any responsible leader at the time, it reduces non-aggression treaties to a legal absurdity. They become only additional instruments of deception in the hands of the aggressor, and traps for well-meaning nations. If there be in non-aggression pacts an implied condition that each nation may make a bona fide judgment as to the necessity for self-defense against imminent threatened attack, they certainly cannot be invoked to shelter those who never made any such judgment at all.

In opening this case I ventured to predict that there would be no serious denial that the crimes charged were committed, and that the issue would concern the responsibility of particular defendants. The defendants have fulfilled that prophecy. Generally, they do not deny that these things happened, but it is contended that they "just happened," and that they were not the result of a common plan or conspiracy.

One of the chief reasons the defendants say there was no conspiracy is the argument that conspiracy was impossible with a dictator.[138] The argument runs that they all had to obey Hitler's orders, which had the force of law in the German State, and hence obedience cannot be made the basis of a criminal charge. In this way it is explained that while there have been wholesale killings, there have been no murderers.

This argument is an effort to evade Article 8 of the Charter, which provides that the order of the government or of a superior shall not free a defendant from responsibility but can only be considered in mitigation. This provision of the Charter corresponds with the justice and with the realities of the situaton, as indicated in defendant Speer's description of what he considered to be the common responsibility of the leaders of the German nation:

> "* * * with reference to utterly decisive matters, there is total responsibility. There must be total responsibility insofar as a person is one of the leaders, because who else could assume

> responsibility for the development of events, if not the immediate associates who work with and around the head of the state?"[139]

And again he told the Tribunal:

> "* * * it is impossible after the catastrophe to evade this total responsibility. If the war had been won, the leaders would also have assumed total responsibility."[140]

Like much of defense counsel's abstract arguments, the contention that the absolute power of Hitler precluded a conspiracy crumbles in face of the facts of record. The Fuehrerprinzip of absolutism was itself a part of the common plan, as Goering has pointed out.[141] The defendants may have become slaves of a dictator, but he was their dictator. To make him such was, as Goering has testified, the object of the Nazi movement from the beginning. Every Nazi took this oath:

> "I pledge eternal allegiance to Adolf Hitler. I pledge unconditional obedience to him and the fuehrers appointed by him."[142]

Moreover, they forced everybody else in their power to take it. This oath was illegal under German law, which made it criminal to become a member of an organization in which obedience to "unknown superiors or unconditional obedience to known superiors is pledged."[143] These men destroyed free government in Germany and now plead to be excused from responsibility because they became slaves. They are in the position of the fictional boy who murdered his father and mother and then pleaded for leniency because he was an orphan.

What these men have overlooked is that Adolf Hitler's acts are their acts. It was these men among millions of others, and it was these men leading millions of others, who built up Adolf Hitler and vested in his psychopathic personality not only innumerable lesser decisions but the supreme issue of war or peace. They intoxicated him with power and adulation. They fed his hates and aroused his fears. They put a loaded gun in his eager hands. It was left to Hitler to pull the trigger, and when he did they all at that time approved. His guilt stands admitted, by some defendants reluctantly, by some vindictively. But his guilt is the guilt of the whole dock, and of every man in it.

But it is urged that these defendants could not be in agreement on a common plan or in a conspiracy because they were fighting among themselves or belonged to different factions or cliques. Of course, it is not necessary that men should agree on everything in order to agree on enough things to make them liable for a criminal conspiracy. Unquestionably there were conspiracies within the conspiracy, and intrigues and rivalries and battles for power. Schacht and Goering disagreed, but over which of them should control the economy, not over whether the economy should be regimented for war.[144] Goering claims to have departed from the plan because through Dahlerus he conducted some negotiations with men of influence in England just before the Polish war. But it is perfectly clear that this was not an effort to prevent aggression against Poland but to make that aggression successful and safe by obtaining English neutrality.[145] Rosenberg and Goering may have had some differences as to how stolen art should be distributed but they had none about how it should be stolen. Jodl and Goebbels may have disagreed about whether to denounce the Geneva Convention, but they never disagreed about violating it. And so it goes through the whole long and sordid story. Nowhere do we find an instance where any one of the defendants stood up against the rest and said, This thing is wrong and I will not go along with it. Wherever they differed, their differences were as to method or disputes over jurisdiction, but always within the framework of the common plan.

Some of the defendants also contend that in any event there was no conspiracy to commit war crimes or crimes against humanity because cabinet members never met with the military to plan these acts. But these crimes were only the inevitable and incidental results of the plan to commit the aggression for Lebensraum purposes. Hitler stated, at a conference with his commanders, that

> "The main objective in Poland is the destruction of the enemy and not the reaching of a certain geographical line." [146]

Frank picked up the tune and suggested that when their usefulness was exhausted,

> "* * * then, for all I care mincemeat can be made of the Poles and Ukrainians and all the others who run around here— it does not matter what happens." [147]

Reichscommissar Koch in the Ukraine echoed the refrain:

> "I will draw the very last out of this country. I did not come to spread bliss * * *" [148]

This was Lebensraum on its seamy side. Could men of their practical intelligence expect to get neighboring lands free from the claims of their tenants without committing crimes against humanity?

The last stand of each defendant is that even if there was a conspiracy, he was not in it. It is therefore important in examining their attempts at avoidance of responsibility to know, first of all, just what it is that a conspiracy charge comprehends and punishes.

In conspiracy we do not punish one man for another man's crime. We seek to punish each for his own crime of joining a common criminal plan in which others also participated. The measure of the criminality of the plan and therefore of the guilt of each participant is, of course, the sum total of crimes committed by all in executing the plan. But the gist of the offense is participation in the formulation or execution of the plan. These are rules which every society has found necessary in order to reach men, like these defendants, who never get blood on their own hands but who lay plans that result in the shedding of blood. All over Germany today, in every zone of occupation, little men who carried out these criminal policies under orders are being convicted and punished. It would present a vast and unforgiveable caricature of justice if the men who planned these policies and directed those little men should escape all penalty.[149]

These men in this dock, on the face of the record, were not strangers to this program of crime, nor was their connection with it remote or obscure. We find them in the very heart of it. The positions they held show that we have chosen defendants of self-evident responsibility. They are the very top surviving authorities in their respective fields and in the Nazi State. No one lives who, at least until the very last moments of the war, outranked Goering in position, power, and influence. No soldier stood above Keitel and Jodl, and no sailor above Raeder and Doenitz. Who can be responsible for the duplicitous diplomacy if not the Foreign Ministers, von Neurath and Ribbentrop, and the diplomatic handy man, von Papen? Who should be answerable for the oppressive administration of occupied countries if Gauleiters, Protectors, Governors, and Commissars such as Frank, Seyss-Inquart, Frick, von Schirach, von Neurath, and Rosenberg are not? Where shall we look for those who mobilized the economy for total war if we overlook Schacht, and Speer, and Funk? Who was the master of the great slaving enterprise if it was not Sauckel? Where shall we find the hand that ran the concentration camps if it is not the hand of Kaltenbrunner? And who whipped up the hates and fears of the public, and manipulated the Party organizations to incite these crimes, if not Hess, von Schirach, Fritzsche, Bormann, and the unspeakable Julius Streicher? The list of defendants is made up of men who played indispensable and reciprocal parts in this tragedy. The photographs and films show them again and again together on important occasions. The documents show them agreed on policies and on methods, and all working aggressively for the expansion of Germany by force of arms.

Each of these men made a real contribution to the Nazi plan. Every man had a key part. Deprive the Nazi regime of the functions performed by a Schacht, a Sauckel, a von Papen, or a Goering, and you have a different regime. Look down the rows of fallen men and picture them as the photographic and documentary evidence shows them to have been in their days of power. Is there one whose work did not substantially advance the conspiracy along its bloody path towards its bloody goal? Can we assume that the great effort of these men's lives was directed towards ends they never suspected?

To escape the implications of their positions and the inference of guilt from their activities, the defendants are almost unanimous in one defense. The refrain is heard time and again: these men were without authority, without knowledge, without influence, indeed without importance. Funk summed up the general self-abasement of the dock in his plaintive lament that,

> "I always, so to speak, came up to the door. But I was not permitted to enter." [150]

In the testimony of each defendant, at some point there was reached the familiar blank wall: nobody knew anything about what was going on. Time after time we have heard the chorus from the dock,

> "I only heard about these things here for the first time." [151]

These men saw no evil, spoke none, and none was uttered in their presence. This claim might sound very plausible if made by one defendant. But when we put all their stories together, the impression which emerges of the Third Reich, which was to last a thousand years, is ludicrous. If we combine only the stories from the front bench, this is the ridiculous composite picture of Hitler's government that emerges. It was composed of:

A No. 2 man who knew nothing of the excesses of the Gestapo which he created, and never suspected the Jewish extermination program although he was the signer of over a score of decrees which instituted the persecutions of that race;

A No. 3 man who was merely an innocent middleman transmitting Hitler's orders without even reading them, like a postman or delivery boy;

A Foreign Minister who knew little of foreign affairs and nothing of foreign policy;

A Field Marshal who issued orders to the armed forces but had no idea of the results they would have in practice;

A security chief who was of the impression that the policing functions of his Gestapo and SD were somewhat on the order of directing traffic;

A Party philosopher who was interested in historical research, and had no idea of the violence which his philosophy was inciting in the Twentieth Century;

A Governor General of Poland who reigned but did not rule;

A Gauleiter of Franconia whose occupation was to pour forth filthy writings about the Jews, but had no idea that anybody would read them;

A Minister of the Interior who knew not even what went on in the interior of his own office, much less the interior of his own department, and nothing at all about the interior of Germany;

A Reichsbank President who was totally ignorant of what went in and out of the vaults of his bank;

And a Plenipotentiary for the War Economy who secretly marshaled the entire economy for armament, but had no idea it had anything to do with war.

This may seem like a fantastic exaggeration, but this is what you would actually be obliged to conclude if you were to acquit these defendants.

They do protest too much. They deny knowing what was common knowledge. They deny knowing plans and programs that were as public as "MEIN KAMPF" and the Party program. They deny even knowing the contents of documents they received and acted upon.

Nearly all the defendants take two or more conflicting positions. Let us illustrate the inconsistencies of their positions by the record of one defendant—one who, if pressed, would himself concede that he is the most intelligent, honorable, and innocent man in the dock. That is Schacht. And this is the effect of his own testimony—but let us not forget that I recite it not against him alone, but because most of its self-contradictions are found in the testimony of several defendants:

Schacht did not openly join the Nazi movement until it had won, nor openly desert it until it had lost. He admits that he never gave it public opposition, but asserts that he never gave it private loyalty. When we demand of him why he did not stop the criminal course of the regime in which he was a Minister, he says he had not a bit of influence. When we ask why he remained a member of the criminal regime, he tells us that by sticking on he expected to moderate its program. Like a Brahmin among untouchables, he could not bear to mingle with the Nazis socially, but never could he afford to separate from them politically. Of all the Nazi aggressions by which he now claims to have been shocked,[152] there is not one that he did not support before the world with the weight of his name and prestige. Having armed Hitler to blackmail a continent, his answer now is to blame England and France for yielding.

Schacht always fought for his position in a regime he now affects to despise. He sometimes disagreed with his Nazi confederates about what was expedient in reaching their goal, but he never dissented from the goal itself. When he did break with them in the twilight of the regime, it was over tactics, not principles. From then on he never ceased to urge others to risk their positions and their necks to forward his plots, but never on any occasion did he hazard either of his own. He now boasts that he personally would have shot Hitler if he had had the opportunity, but the German newsreel shows that even after the fall of France, when he faced the living Hitler, he stepped out of line to grasp the hand he now claims to loath and hung upon the words of the man he now says he thought unworthy of belief. Schacht says he steadily "sabotaged" the Hitler government.[153] Yet, the most relentless secret service in the world never detected him doing the regime any harm until long after he knew the war to be lost and the Nazis doomed. Schacht, who dealt in hedges all his life, always kept himself in a position to claim that he was in either camp. The plea for him is as specious on analysis as it is persuasive on first sight. Schacht represents the most dangerous and reprehensible type of opportunism—that of the man of influential position who is ready to join a movement that he knows to be wrong because he thinks it is winning.

These defendants, unable to deny that they were the men in the very top ranks of power, and unable to deny that the crimes I have outlined actually happened, know that their own denials are incredible unless they can suggest someone who is guilty.

The defendants have been unanimous, when pressed, in shifting the blame on other men, sometimes on one and sometimes on another. But the names they have repeatedly picked are Hitler, Himmler, Heydrich, Goebbels, and Bormann. All of these are dead or missing. No matter how hard we have pressed the defendants on the stand, they have never pointed the finger at a living man as guilty. It is a temptation to ponder the wondrous workings of a fate which has left only the guilty dead and only the innocent alive. It is almost too remarkable.

The chief villain on whom blame is placed,—some of the defendants vie with each other in producing appropriate epithets

—is Hitler. He is the man at whom nearly every defendant has pointed an accusing finger.

I shall not dissent from this consensus, nor do I deny that all these dead or missing men shared the guilt. In crimes so reprehensible that degrees of guilt have lost their significance they may have played the most evil parts. But their guilt cannot exculpate the defendants. Hitler did not carry all responsibility to the grave with him. All the guilt is not wrapped in Himmler's shroud. It was these dead whom these living chose to be their partners in this great conspiratorial brotherhood, and the crimes that they did together they must pay for one by one.

It may well be said that Hitler's final crime was against the land that he had ruled. He was a mad messiah who started the war without cause and prolonged it without reason. If he could not rule he cared not what happened to Germany. As Fritzsche has told us from the stand, Hitler tried to use the defeat of Germany for the self-destruction of the German people.[154] He continued the fight when he knew it could not be won, and continuance meant only ruin. Speer, in this courtroom, has described it as follows:

> "* * * The sacrifices which were made on both sides after January 1945 were without sense. The dead of this period will be the accusers of the man responsible for the continuation of that fight, Adolf Hitler, just as much as the destroyed cities, destroyed in that last phase, who had lost tremendous cultural values and tremendous numbers of dwellings * * * The German people remained faithful to Adolf Hitler until the end. He has betrayed them knowingly. He has tried to throw it into the abyss. * * *" [155]

Hitler ordered every one else to fight to the last and then retreated into death by his own hand. But he left life as he lived it, a deceiver; he left the official report that he had died in battle. This was the man whom these defendants exalted to a Fuehrer. It was they who conspired to get him absolute authority over all Germany. And in the end he and the system they created for him brought the ruin of them all. As stated by Speer on cross-examination:

> "* * * the tremendous danger, however, contained in this totalitarian system only became abundantly clear at the moment when we were approaching the end. It was then that one could see what the meaning of the principle was, namely, that every order should be carried out without any criticism. Everything * * * you have seen in the way of orders which were carried out without any consideration, did after all turn out to be mis-

takes * * * This system—let me put it like this—to the end of the system it has become clear what tremendous dangers are contained in any such system, as such, quite apart from Hitler's principle. The combination of Hitler and this system, then brought about this tremendous catastrophe to this world." [156]

But let me for a moment turn devil's advocate. I admit that Hitler was the chief villain. But for the defendants to put all blame on him is neither manly nor true. We know that even the head of a state has the same limits to his senses and to the hours of his day as do lesser men. He must rely on others to be his eyes and ears as to most that goes on in a great empire. Others legs must run his errands; other hands must execute his plans. On whom did Hitler rely for such things more than upon these men in the dock? Who led him to believe he had an invincible air armada if not Goering? Who kept disagreeable facts from him? Did not Goering forbid Fieldmarshal Milch to warn Hitler that in his opinion Germany was not equal to the war upon Russia?[157] Did not Goering, according to Speer, relieve General Gallant of his air force command for speaking of the weaknesses and bungling of the air force?[158] Who led Hitler, utterly untraveled himself, to believe in the indecision and timidity of democratic peoples if not Ribbentrop, von Neurath, and von Papen? Who fed his illusion of German invincibility if not Keitel, Jodl, Raeder and Doenitz? Who kept his hatred of the Jew inflamed more than Streicher and Rosenberg? Who would Hitler say deceived him about conditions in concentration camps if not Kaltenbrunner, even as he would deceive us? These men had access to Hitler, and often control of the information that reached him and on which he must base his policy and his orders. They were the Praetorian Guard, and while they were under Caesar's orders, Caesar was always in their hands.

If these dead men could take the witness stand and answer what has been said against them, we might have a less distorted picture of the parts played by these defendants. Imagine the stir that would occur in the dock if it should behold Adolf Hitler advancing to the witness box, or Himmler with an armful of dossiers, or Goebbels, or Bormann with the reports of his Party spies, or the murdered Roehm or Canaris. The goulish defense that the world is entitled to retribution only from the cadavers, is an argument worthy of the crimes at which it is directed.

We have presented this Tribunal an affirmative case based on incriminating documents which are sufficient, if unexplained, to require a finding of guilt on Count One against each defendant.

In the final analysis, the only question is whether the defendants' own testimony is to be credited as against the documents and other evidence of their guilt. What, then, is their testimony worth?

The fact is that the Nazi habit of economizing in the use of truth pulls the foundations out from under their own defenses. Lying has always been a highly approved Nazi technique. Hitler, in "MEIN KAMPF", advocated mendacity as a policy. Von Ribbentrop admits the use of the "diplomatic lie".[159] Keitel advised that the facts of rearmament be kept secret so that they could be denied at Geneva.[160] Raeder deceived about rebuilding the German navy in violation of Versailles.[161] Goering urged Ribbentrop to tell a "legal lie" to the British Foreign Office about the Anschluss, and in so doing only marshaled him the way he was going.[162] Goering gave his word of honor to the Czechs and proceeded to break it.[163] Even Speer proposed to deceive the French into revealing the specially trained among their prisoners.[164]

Nor is the lie direct the only means of falsehood. They all speak with a Nazi doubletalk with which to deceive the unwary. In the Nazi dictionary of sardonic euphemisms "Final solution" of the Jewish problem was a phrase which meant extermination; "Special treatment" of prisoners of war meant killing; "Protective custody" meant concentration camp; "Duty labor" meant slave labor; and an order to "take a firm attitude" or "take positive measures" meant to act with unrestrained savagery. Before we accept their word at what seems to be its face, we must always look for hidden meanings. Goering assured us, on his oath, that the Reich Defense Council never met "as such".[165] When we produced the stenographic minutes of a meeting at which he presided and did most of the talking, he reminded us of the "as such" and explained this was not a meeting of the Council "as such" because other persons were present.[166] Goering denies "threatening" Czechoslovakia—he only told President Hacha that he would "hate to bomb the beautiful city of Prague." [167]

Besides outright false statements and doubletalk, there are also other circumventions of truth in the nature of fantastic explanations and absurd professions. Streicher has solemnly maintained that his only thought with respect to the Jews was to resettle them on the Island of Madagascar.[168] His reason for destroying synagogues, he blandly said, was only because they were architecturally offensive.[169] Rosenberg was stated by his counsel to have always had in mind a "chivalrous solution" to the Jewish problem.[170] When it was necessary to remove Schuschnigg after the Anschluss, Ribbentrop would have had us believe that the Austrian Chancellor was resting at a "villa". It was left to cross-examination to reveal that the "villa" was Buchenwald Concentration Camp.[171] The record is full of other examples of dissimulations and evasions. Even Schacht showed that he, too, had adopted the Nazi attitude that truth is any story which succeeds. Confronted on cross-examination with a long record of broken vows and false words, he declared in justification—

> "I think you can score many more successes when you want to lead someone if you don't tell them the truth than if you tell them the truth." [172]

This was the philosophy of the National Socialists. When for years they have deceived the world, and masked falsehood with plausibilities, can anyone be surprised that they continue the habits of a lifetime in this dock? Credibility is one of the main issues of this trial. Only those who have failed to learn the bitter lessons of the last decade can doubt that men who have always played on the unsuspecting credulity of generous opponents would not hesitate to do the same now.

It is against such a background that these defendants now ask this Tribunal to say that they are not guilty of planning, executing, or conspiring to commit this long list of crimes and wrongs. They stand before the record of this trial as blood-stained Gloucester stood by the body of his slain King. He begged of the widow, as they beg of you: "Say I slew them not". And the Queen replied, "Then say they were not slain. But dead they are, * * *" If you were to say of these men that they are not guilty, it would be as true to say there has been no war, there are no slain, there has been no crime.

NOTES

[1] English transcript, p. 5844. [The transcript references are to the original mimeographed record prepared for trial purposes.]

[2] Goering, Reconstruction of a Nation, 1934 (2324–PS, USA–233, Tr. p. 1399).

[3] Prime Minister Goering's Press Conference, published in Voelkischer Beobachter, Berlin edition, 23-24 July 1933, p. 1 (2494–PS, Tr. p. 255). Goering has admitted excesses in connection with the seizure of power (Tr. p. 5838).

[4] Law about changing rules of Criminal Law and Criminal Procedure of 24 April 1934, 1934 Reichsgesetzblatt, Part I, p. 34 (2548–PS, Tr. p. 255 and 6051).

[5] Decree of the Reich President for protection against treacherous attacks on the government of the Nationalist movement, 21 March 1933. 1933 Reichsgesetzblatt, Part I, p. 135 (1652–PS, Tr. p. 255).

[6] Decree of the Reich President for the Protection of the People and State, 28 February 1933, 1933 Reichsgesetzblatt, Part I, p. 83; (1390–PS, Tr. p. 255) "Sections 114, 115, 117, 118, 123, 124, and 153 of the Constitution

of the German Reich are suspended until further notice. Thus, restrictions on personal liberty, on the right of free expression of opinion, including freedom of the press, on the right of assembly and the right of association, and violations of the privacy of postal, telegraphic, and telephonic communications, and warrants for house-searches, orders for confiscations as well as restrictions on property, are also permissible beyond the legal limits otherwise prescribed *** Whoever provokes or incites to an act contrary to public welfare is to be punished with a penitentiary sentence, under mitigating circumstances, with imprisonment of not less than three months."

[7] Law to change the Penal Code of 28 June 1935, 1935 Reichsgesetzblatt, Part I, p. 839. (1962–PS, Tr. p. 255). "Any person who commits an act which the law declares to be punishable or which is deserving of penalty according to the fundamental conceptions of the penal law and sound popular feeling, shall be punished. If there is no penal law directly covering an act it shall be punished under that law which most closely fits, in regards to fundamental conception."

[8] Extract from "Germany's Road to Freedom," as published in Documents of German Politics, Vol. 3 (2549–PS, Tr. p. 255) "National Socialism substitutes for the conception of formal wrong the idea of factual wrong, it considers every attack against the welfare of the people's community, every violation of the requirements of the life of a nation as a wrong. Therefore wrong may be committed in the future in Germany even in cases when no law threatens it with punishment. Even without the threat of punishment every violation of the goals of life which the community sets up for itself is a wrong."

[9] Affidavit of Dr. Hans Anschuetz, 17 November 1945 (2967–PS, USA–756, Tr. p. 255). Ten years of Security Police and SD. (1680–PS, USA–477, Tr. p. 1892).

[10] Transcript p. 6073. This bureau was camouflaged under the name of "Research Office of the Airforce." (Tr. p. 5880).

[11] Decree of the Reich President for the Protection of the People and State, 28 February 1933, 1933 Reichsgesetzblatt, Part I, p. 83 (1390–PS, Tr. p. 255). Supra, Note 5.

[12] Organizationbuch der NSDAP, 1943 edition, pp. 99-104 (1893–PS, USA–323, Tr. p. 1578).

[13] Meaning and Tasks of the Secret State Police, published in The Archives, January 1936, Vol. 23-24, p. 1342 (1956–PS, Tr. p. 255).

[14] Original Protective Custody Order served on Dr. R. Kempner, 15 March 1935 (2499–PS, USA–232, Tr. p. 1399). Extract from article "Legislation and Judiciary in Third Reich" from Journal of the Academy for German Law, 1936, pp. 141-142 (2533–PS, Tr. p. 255).

[15] Law on the Secret State Police of 10 February 1936, Prussian Gesetzammlung, p. 21. "Orders in matters of the Secret State Police are not subject to review of the administrative courts." (2107–PS, Tr. p. 1904). Summary of decisions of the Supreme Administrative Court, 1935 Reichsverwaltungsblatt, Vol. 56, No. 29, pp. 577-578, 20 July 1935 (2347–PS, Tr. p. 1904).

[16] Affidavit of Dr. Hans Anschuetz, 17 November 1945 (2967–PS, USA–756, Tr. p. 255).

[17] Letter from Guertner to Mutschmann, 18 January 1935, concerning charges against members of camp personnel of protective custody Camp Hohnstein (783–PS, USA–731, Tr. p. 255). Letters from Minister of Justice to Hess and SA Chief of Staff, 5 June 1935, concerning penal proceed-

ings against merchant and SA Leader and 22 companions because of inflicting bodily injury on duty (784–PS, USA–732, Tr. p. 255). Memorandum of Guertner concerning legal proceedings against the camp personnel of concentration camp Hohnstein (785–PS, USA–733, Tr. p. 255). Minister of Justice memorandum, 29 November 1935, concerning pardon of those sentenced in connection with mistreatment in Hohnstein concentration camp (786–PS, USA–734, Tr. p. 255).

[18] Affidavit of Dr. Hans Anschuetz, 17 November 1945 (2967–PS, USA–756, Tr. p. 255).

[19] Affidavit of Dr. Hans Anscheutz, 17 November 1945 (2967–PS, USA–756, Tr. p. 255). Law amending regulations of criminal law and criminal procedure, 24 April 1934, 1934 Reichsgesetzblatt, Part I, p. 341 (2014–PS, Tr. p. 255). Law on People's Court and on 25th Amendment to Salary Law of 18 April 1936, 1936 Reichsgesetzblatt, Part I, p. 169 (2342–PS, Tr. p. 255).

[20] "The Nazi Plan", excerpts of script of a motion picture composed of captured German film. (3054–PS, USA–167, Tr. p. 1264).

[21] Decree of the Government concerning formation of Special Courts, 21 March 1933, 1933 Reichsgesetzblatt, Part I, pp. 136-137. (2076–PS, Tr. p. 255). Decree concerning the extension of the Jurisdiction of Special Courts, 20 November 1938. 1938 Reichsgesetzblatt, Part I, p. 1632, (2056–PS, Tr. p. 255). Affidavit of Dr. Hans Anscheutz, 17 November 1945 (2967–PS, USA–756, Tr. p. 255).

[22] Extract from German Justice, a legal periodical, 10th year, Edition A, No. 42, 16 October 1942. "The judge is therefore not the supervisor of, but the direct assistant in the Administration of the State. He is responsible to the leadership of the State (Staatsfuhrung) within his sphere of duty for the conservation of the national community. By protecting the national values (Volkische Werte) and eliminating (dangerous elements from the community of the people) he is, in this respect akin to the political leader, the promulgator of national self preservation (Volkische Selbsterhaltung). This point of view must be decisive for the judge. The judge taking it for his guiding principle will find many a decision which seemed very difficult to be solved at first, facilitated." (2482–PS, Tr. p. 255). Extract from pamphlet, "Judges Letters", concerning judgment of Lower Court, 24 April 1942, on concealment of Jewish identification (D–229, Tr. p. 255).

[23] Lecture of Major-General Thomas delivered 24 May 1939, at the Foreign Office (EC–28, USA–760, Tr. pp. 275, 5124).

[24] The treaties and assurances applicable to each are specified in Appendix C of the Indictment and remain uncontradicted.

[25] English transcript p. 5980. "The Hague Convention was for land warfare. When I scanned it over on the eve of the Polish campaign, I was reading the Articles and I was sorry that I had not studied them much sooner. If I had done so I would have told the Fuehrer that with these rules as they had been put down, paragraph by paragraph, a modern war could not be waged, but that in a modern war, with its technical improvements, the stipulations of 1906 and 1907 would have to be changed in order to have a new type of warfare."

[26] English transcript p. 6016.

[27] Memorandum of 15 September 1941, from Canaris to Keitel concerning an OKW Order regulating the treatment of Soviet prisoners of war (EC–338,

USSR–366, Tr. p. 4441). "The Geneva Convention for the treatment of Prisoners of war is not binding in the relationship between Germany and the USSR, therefore only the principles of general international law on the treatment of prisoners of war apply. Since the 18th century these have gradually been established along the lines that war captivity is neither revenge nor punishment, but solely protective custody (Sicherheitsschaft) the only purpose of which is to prevent the prisoners of war from a further participation in the war. This principle was developed in accordance with the view held by all armies that it is contrary to military tradition to kill or injure helpless people; this is also in the interest of all belligerents in order to prevent mistreatment of their own soldiers in case of capture ***. The instructions are very general. But if one considers their basic principles the expressly approved measures will result in arbitrary mistreatments and killings, the formal prohibition of arbitrary action notwithstanding."

[28] Hitler Commando Order, 18 October 1942 (498–PS, USA–501, Tr. p. 1944, 2173). Night and Fog Decrees, 7 and 12 December 1942 (L–90, USA–503, Tr. p. 1945). Minister of Labor Order on employment of French prisoners of war in armament industry, August 1941 (3005–PS, USA–213, Tr. p. 3010). Himmler Order to protect lynchers of allied fliers, 10 August 1943 (R–110, USA–333, Tr. p. 1624).

[29] Decree appointing Sauckel General Plenipotentiary for Manpower, 21 March 1942, and decree of Goering conferring certain powers on Sauckel, 27 March 1942. 1942 Reichsgesetzblatt, Part I, pp. 179-180 (1666–PS, USA–208, pp. 1337, 4063).

[30] Speer's conference minutes of Central Planning Board, 1942-44, concerning labor supply. "Our best new engine is made 88% by Russian prisoners of war and the other 12% by German men and women ***. The list of the shirkers should be entrusted to Himmler's trustworthy hands who will make them work all right." (Milch, p. 26) R–124, USA–179, Tr. pp. 1313, 1320.

[31] Top secret memorandum signed by Brautigam, 25 October 1942, concerning conditions in Russia (294–PS, USA–185, Tr. p. 1293).

[32] Speer's conference minutes of Central Planning Board, 1942-44, concerning labor supply. (R–124, p. 22; USA 179, Tr. pp. 1286, 1293, 1309, 2989.) By an official directive, "Estates of those who refuse to work are to be burned, their relatives are to be arrested as hostages and to be brought to forced labor camps", and the burning of homes in connection with labor conscription was therefore not considered culpable. Letter from Rosenberg Ministry, 12 November 1943, concerning burning of house in Mueller's district. (290–PS, USA–189, Tr. p. 1304). The burning down of houses was a method used to force citizens in occupied territories into Reich labor. Letter from Rabb to Reichminister for Occupied Eastern Territories, 7 June 1944, concerning burning of houses in Wassilkow district. (254–PS, USA–188, Tr. p. 1300). Forced labor agents caught persons attending churches and theaters and transported them to the Reich. Lammers report to Himmler, 12 April 1943, concerning the situation in the Government General. (2220–PS, USA–175, Tr. p. 1275).

[33] Report to Reich Ministry for Occupied Eastern Territories, 7 October 1942, concerning treatment of Ukrainian Specialists (054–PS, USA–198, Tr. p. 1314). Interdepartmental report of Ministry for Occupied Eastern Territories, 30 September 1942, concerning status of Eastern laborers. "In this train women gave birth to babies who were thrown out of the windows during the journey, people having tuberculosis and venereal diseases rode in the same car, dying people lay in freight cars without straw, and one of the dead

was thrown on the railroad embankment. The same must have occurred in other returning transports." (084–PS, USA–199, Tr. p. 1317).

[34] Sauckel's labor Mobilization Program 20 April 1942. "Apart from the prisoners of war still in the occupied territories, we must, therefore, requisition skilled or unskilled male and female labor from the Soviet territory from the age of 15 up for the labor mobilization." p. 7 (016–PS, USA–168, Tr. p. 1319).

[35] Affidavit of Edward L. Deuss, 1 November 1945, concerning approximate number of foreign workers for German War Effort in Old Reich (2520–PS, USA–197, Tr. p. 1312).

[36] Memorandum to Mr. Hupe, 14 March 1942, concerning employment of Russians. (D–316, USA–201, Tr. p. 1320).

[37] Affidavit of Dr. Wilhelm Jaeger, 15 October 1945. "Conditions in all of those camps were extremely bad. The camps were greatly overcrowded. In some camps there were twice as many people in a barrack as health conditions permitted ***. Camp Humboldstrasse has been inhabitated by Italian prisoners of war. After it had been destroyed by an air raid, the Italians were removed and 600 Jewish females from Buchenwald Concentration Camp were brought in to work at the Krupp factories. Upon my first visit at Camp Humboldstrasse, I found these females suffering from open festering wounds and other diseases. I was the first doctor they had seen for at least a fortnight. There was no doctor in attendance at the Camp. There were no medical supplies in the Camp. They had no shoes and went about in their bare feet. The sole clothing of each consisted of a sack with holes for their arms and head. Their hair was shorn. The Camp was surrounded by barbed wire and closely guarded by SS guards." pp. 1, 5. (D–288, USA–202, Tr. p. 1322).

[38] Secret Order of Reichsfuehrer SS, 20 February 1942, concerning commitment of manpower from the East. "In severe cases, that is in such cases where the measures at the disposal of the leader of the guard do not suffice, the state police office has to act with its means. Accordingly, they will be treated, as a rule, only with strict measures, that is with transfer to a concentration camp or with special treatment ***. Special tretament is hanging." (3040–PS, USA–207, Tr. p. 1336).

[39] Order signed Christiansen, 19 March 1943, to all group leaders of Security Service, and record of telephone conversations signed by Stapj, 11 March 1943 (3012–PS, USA–190, Tr. pp. 1304, 12200). Letter of Terboven to Goering, dated 1 May 1942. (R–134, Tr. p. 6235). Goering has admitted the excesses in occupied territories: "I do not in any way wish to dispute that things took place which may be debated as far as international law is concerned, and other things occurred which under every circumstance may be considered and must be considered as excesses." (Tr. p. 5932).

[40] Excerpts from Frank's Diary. (USSR–223) (English translation p. 43).

[41] Stenographic report on conference between Goering and Reich Commissioners for Occupied Territories, 8 August 1942. (USSR–170, Tr. p. 5720.

[42] Report to Fuehrer regarding confiscated art treasures, 20 March 1941. (014–PS, USA–784, Tr. p. 6213). Field Marshal Kesselring, Goering's subordinate, testified that his method of punishing the small-scale looting of common soldiers under his command was by shooting on the spot. (Tr. p. 5775).

[43] Hague Convention IV, Articles 43, 46, 47, 50, 52.

[44] Affidavit of Dr. Rudolf Kastner, former president of the Hungarian Zionist Organization, 13 September 1945. (2605–PS, USA–242, Tr. pp. 1408, 1409).

[45] Affidavit of Dr. Wilhelm Hoettl, 26 November 1945. (2738–PS, Tr. p. 1502). Affidavits of Hermann Graebe. "Moennikes and I went direct to the pits. Nobody bothered us. Now I heard rifle shots in quick succession, from behind one of the earth mounds. The people who had got off the trucks—men, women, and children of all ages—had to undress upon the orders of an SS-man, who carried a riding or dog whip. They had to put down their clothes in fixed places, sorted according to shoes, top clothing. I saw a heap of shoes of about 800 to 1000 pairs, great piles of under-linen and clothing. Without screaming or weeping these people undressed, stood around in family groups, kissed each other, said farewells and waited for a sign from another SS-man, who stood near the pit, also with a whip in his hand. During the 15 minutes that I stood near the pit I heard no complaint or plea for mercy. I watched a family of about 8 persons, a man and woman, both about 50 with their children of about 1, 8 and 10, and two grown-up daughters of about 20 to 24. An old woman with snow-white hair was holding the one-year old child in her arms and singing to it, and tickling it. The child was cooing with delight. The couple were looking on with tears in their eyes. The father was holding the hand of a boy about 10 years old and speaking to him softly; the boy was fighting his tears. The father pointed toward the sky, stroked his head, and seemed to explain something to him. At that moment the SS-man at the pit shouted something to his comrade. The latter counted off about 20 persons and instructed them to go behind the earth mound. Among them was the family, which I have mentioned. I well remember a girl, slim and with black hair, who, as she passed close to me, pointed to herself and said, "23". I walked around the mound, and found myself confronted by a tremendous grave. People were closely wedged together and lying on top of each other so that only their heads were visible. Nearly all had blood running over their shoulders from their heads. Some of the people shot were still moving. Some were lifting their arms and turning their heads to show that they were still alive. The pit was already ⅔ full. I estimated that it already contained about 1000 people. I looked for the man who did the shooting. He was an SS-man, who sat at the edge of the narrow end of the pit, his feet dangling into the pit. He had a tommy gun on his knees and was smoking a cigarette. The people, completely naked, went down some steps which were cut in the clay wall of the pit and clambered over the heads of the people lying there, to the place to which the SS-man directed them. They lay down in front of the dead or injured people; some caressed those who were still alive and spoke to them in a low voice. Then I heard a series of shots. I looked into the pit and saw that the bodies were twitching or the heads lying already motionless on top of the bodies that lay before them. Blood was running from their necks. I was surprised that I was not ordered away, but I saw that there were two or three postmen in uniform nearby. The next batch was approaching already. They went down into the pit, lined themselves up against the previous victims and were shot. When I walked back, round the mound I noticed another truck-load of people which had just arrived. This time it included sick and infirm persons. An old, very thin woman with terribly thin legs was undressed by others who were already naked, while two people held her up. The woman appeared to be paralyzed. The naked people carried the woman around the mound. I left with MOENNIKES and drove in my car back to Dubno." (2992–PS, pp. 2, 3; USA–494, Tr. p. 1922).

[46] SD Inspector Bierkamp's letter, 12 December 1941, to RSHA, enclosing copy of secret decree signed by Bormann, entitled, "Relationship of National Socialism and Christianity." (D–75, USA–348, Tr. p. 1637).

[47] Extracts from "The Myth of the 20th Century", by Alfred Rosenberg, 1941. "A German religious movement which would like to develop into a folk-church will have to declare that the idea of neighborly love is unconditionally to be subordinated to the idea of national honor, that no act of a German church may be approved which does not primarily serve the safeguarding of the folkdom." p. 608. (2349–PS, USA–352, Tr. p. 1642).

[48] Documents on RSHA meeting concerning the study and treatment of church positions. (1815–PS, USA–510, Tr. p. 1956).

[49] Secret letter, 21 April 1942, from SS to all concentration camp commanders, concerning treatment of priests (1164–PS, USA–736, Tr. p. 255). Report from the Bavarian Political Police to the Gestapo, Berlin, 24 August 1934, concerning National mourning on occasion of death of von Hindenburg (1521–PS, USA–740, Tr. p. 255). Letter from Kerrl to Minister of State, 23 July 1938, with enclosures dealing with persecution of Bishop Sproll (849–PS, USA–354, Tr. p. 1644). Gestapo telegram from Berlin to Nurnberg 24 July 1938, dealing with demonstrations against Bishop Sproll in Rottenburg (848–PS, USA–353, Tr. p. 1642). Goering has admitted the policy of sending clergymen to concentration camps. (Tr. p. 5853).

[50] Gestapo order, 20 January 1938, dissolving and confiscating property of Catholic Youth Women's Organizations in Bavaria. (1481–PS, USA–737, Tr. p. 255. See also Tr. p. 5846.)

[51] Order of Frick, 6 November 1934, addressed inter alios to Prussian Gestapo, prohibiting publication of Protestant Church announcements. (1498–PS, USA–739, Tr. p. 255).

[52] Bormann's letter to Rosenberg, enclosing copy of letter, 24 January 1939, to Minister of Education, requesting restriction of elimination of theological faculties. (116–PS, USA–685, Tr. p. 2792). Bormann's letter to Rosenberg, 17 April 1939, enclosing copy of Minister of Education letter 6 April 1939, on elimination of theological faculties in various universities. (122–PS, USA–362, Tr. p. 1658).

[53] Secret letter, 20 July 1933, to provincial governments and the Prussian Gestapo from Frick, concerning Confessional Youth Organizations. (1482–PS, USA–738, Tr. p. 255). Gestapo order 20 January 1938, dissolving and confiscating property of Catholic Youth Women's Organizations in Bavaria. (1481–PS, USA–737, Tr. p. 255). State Police Order, 28 May 1934 at Dusseldorf, signed Schmid, concerning sanction of denominational youth and professional associations and distribution of publications in churches. (R–145, USA–745, Tr. p. 255).

[54] Report by Headquarters, Third United States Army, 21 June 1945, concerning Flossenburg Concentration Camp. (2309–PS, USA–245, Tr. pp. 1398, 1412). Affidavit of Hans Marsalak, 8 April 1946, concerning Mauthausen Concentration Camp and dying statement of Franz Ziereis, the Commandant. (3870–PS, USA–797, Tr. p. 7699). American concentration camp films (2430–PS, USA–79, Tr. p. 593). Soviet atrocity films (USSR–81, Tr. p. 4673). Affidavit of Rudolf Franz Ferdinand Hoess, 5 April 1946: "*** I commanded Auschwitz until 1 December 1943, and estimate that at least 2,500,000 victims were executed and exterminated there by gassing and burning, and at least another half million succumbed to starvation and disease making a total dead of about 3,000,000. This figure represents about 70% or 80% of all persons sent to Auschwitz as prisoners, the

remainder having been selected and used for slave labor in the concentration camp industries. Included among the executed and burnt were approximately 20,000 Russian prisoners of war (previously screened out of Prisoner of War cages by the Gestapo) who were delivered at Auschwitz in Wehrmacht transports operated by regular Wehrmacht officers and men. The remainder of the total number of victims included about 100,000 German Jews, and great numbers of citizens, mostly Jewish from Holland, France, Belgium, Poland, Hungary, Czechoslovakia, Greece, or other countries. We executed about 400,000 Hungarian Jews alone at Auschwitz in the summer of 1944. *** I visited Treblinka to find out how they carried out their extermination. The Camp Commandant at Treblinka told me that he had liquidated 80,000 in the course of one-half year. He was principally concerned with liquidating all the Jews from the Warsaw Ghetto. He used monoxide gas and I did not think that his methods were very efficient. So when I set up the extermination building at Auschwitz, I used Cyclon B, which was a crystallized Prussic Acid which we dropped into the death chamber from a small opening. It took from 3 to 15 minutes to kill the people in the death chamber depending upon climatic conditions. We knew when the people were dead because their screaming stopped. We usually waited about one-half hour before we opened the doors and removed the bodies. After the bodies were removed our special commandos took off the rings and extracted the gold from the teeth of the corpses."

"Another improvement we made over Treblinka was that we built our gas chambers to accommodate 2,000 people at one time, whereas at Treblinka their 10 gas chambers only accommodated 200 people each. The way we selected our victims was as follows: we had two SS doctors on duty at Auschwitz to examine the incoming transports of prisoners. The prisoners would be marched by one of the doctors who would make spot decisions as they walked by. Those who were fit for work were sent into the Camp. Others were sent immediately to the extermination plants. Children of tender years were invariably exterminated since by reason of their youth they were unable to work. Still another improvement we made over Treblinka was that at Treblinka the victims almost always knew that they were to be exterminated and at Auschwitz we endeavored to fool the victims into thinking that they were to go through a delousing process. Of course, frequently they realized our true intentions and we sometimes had riots and difficulties due to that fact. Very frequently women would hide their children under the clothes but of course when we found them we would send the children to be exterminated. We were required to carry out these exterminations in secrecy but of course the foul and nauseating stench from the continuous burning of bodies permeated the entire area and all of the people living in the surrounding communities knew that exterminations were going on at Auschwitz". (3868–PS, USA–819, Tr. p. 7810).

[55] Testimony of Witness Blaha. (Tr. pp. 2592, 2636). Testimony of Witness Hoess. (Tr. pp. 7785, 7820).

[56] Testimony of the Defendant Funk. "*** And when these measures of terror and violence against Jews were put up to me, I suffered a nervous breakdown because at the moment it came to my mind with all clearness that from here on the catastrophe took its course all the way up to the terrible and atrocious things about which we have heard here and about which I knew only in part from the time of my captivity. I felt ashamed and the feeling of guilt at that moment and I do feel the same way today, but too late." (Tr. pp. 9042–3). Von Schirach has testified that "Hitler's racial

policy was a crime" (Tr. p. 10295) and that Auschwitz "is the greatest and most devilish mass murder of history." (Tr. p. 10293).

[57] Testimony of Frank. "*** I myself have never installed an extermination camp for Jews or demanded that they should be installed, but if Adolf Hitler personally has turned that dreadful responsibility over to these people of his, then it must be mine too." (Tr. p. 8099).

[58] English transcript p. 13116.

[59] Hitler, "Mein Kampf". "In regard to this point I should like to make the following statement: "To demand that the 1914 frontiers should be restored is a glaring political absurdity that is fraught with such consequences as to make the claim itself appear criminal. The confines of the Reich as they existed in 1914 were thoroughly illogical ***. We national Socialists must stick firmly to the aim that we have set for our foreign policy, namely, that the German people must be assured the territorial area which is necessary for it to exist on this earth ***. The territory on which one day our German peasants will be able to bring forth and nourish their sturdy sons will justify the blood of the sons of the peasants that has to be shed today". (GB–128, Tr. pp. 2281–2).

[60] Hitler, "Mein Kampf" (GB–128, Tr. p. 2285).

[61] Hitler, "Mein Kampf". "The soil on which we now live was not a gift bestowed by Heaven on our forefathers. But they had to conquer it by risking their lives. So also in the future our people will not obtain territory, and therewith the means of existence, as a favor from any other people, but will have to win it by the power of a triumphant sword." (D–660, GB–128, Tr. p. 2278).

[62] English transcript, pp. 6068–9.

[63] English transcript, p. 6071.

[64] Affidavit of Schnitzler, 10 November 1945 (EC–439, USA–618, Tr. pp. 282, 283, 2532.

[65] Letter from Krupp to Hitler, 25 April 1933, with enclosure (D–157, USA–765, Tr. pp. 299, 5124).

[66] Krupp speech, "Thoughts about the Industrial Enterpriser," January 1944. "*** I have already often repeated orally as well as in writing, and today I also want to restate to this group that, according to the terms of the Dictate of Versailles (Diktat) Krupp had to destroy and demolish considerable quantities of machines and utensils of all kinds. It is the one great merit of the entire German war economy that it did not remain idle during those bad years, even though its activity could not be brought to light for obvious reasons. Through years of secret work, scientific and basic ground work was laid, in order to be ready again to work for the German Armed Forces at the appointed hour, without loss of time or experience." (D–317, USA–770, Tr. p. 289).

[67] The Fifth Day of the Party Congress, from Voelkischer Beobachter, Munich (Southern German) Edition, Issue 258, 14 September 1936, (2283–PS, USA–337, Tr. p. 255). The Social Life of the New Germany with Special Consideration of the German Labor Front, containing principal parts of two NSDAP orders directing seizure of unions in 1933, pp. 51-54 (392–PS, USA–326, Tr. p. 1600). Organization Book of the NSDAP, the NSBO, p. 185 (2271–PS, Tr. p. 255). Affidavits of Josef Simon, Chairman of German Shoemakers Union in 1933 (2335–PS, USA–749, Tr. p. 255). Affidavits of Lorenz Hagan, Chairman of Local Committee, German Trade Unions, Nurnberg (2334–PS, USA–238, Tr. p. 1405). Affidavit of Mathias Lex,

deputy president of the German Shoemakers Union (2928–PS, USA–239, Tr. pp. 1405, 2258). Affidavit, 17 October 1945, of Gustav Schiefer, Chairman of General German Trade Union Association, Local Committee, Munich, 1933 (2277–PS, USA–748, Tr. p. 255). Death certificate, Flossenburg Concentration Camp, concerning union leader Staimer and official letter to his wife, 22 December 1941 (2332–PS, Tr. p. 255). Death certificate, Flossenburg Concentration Camp, concerning union leader Herman, and official letter to his wife, 29 December 1941 (2333–PS, USA–744, Tr. p. 255).

[68] National Socialist Party Correspondence, release of 2 May 1933, p. 1 (2224–PS, USA–364, Tr. pp. 1662–4). Voelkischer Beobachter (People's Observer) Munich edition, 17 May 1933, Fuehrer Edict, p. 1, (1940–PS, Tr. p. 255). The German Labor Front, Nature, Goal Means—Official publication of the German Labor Front, footnote on p. 11 (2275–PS, Tr. p. 255).

[69] Law concerning trustees of labor, 19 May 1933, 1933 Reichsgesetzblatt, Part I, p. 285 (405–PS, Tr. p. 255).

[70] Speech by Ley published in Forge of the Sword, with an introduction by Marshal Goering, pp. 14-17 (1939–PS Tr. p. 255).

[71] Minutes of second session of Working Committee of the Reich Defense held on 26 April 1933 (EC–177, USA–390, Tr. pp. 1699, 1727).

[72] Minutes of conference of sixth session of Working Committee of Reich Defense Council, held on 23 and 24 January 1934 (EC–404, USA–764, Tr. pp. 291, 5124).

[73] Directive from Blomberg to Supreme Commanders of Army, Navy and Air Forces, 24 June 1935; accompanied by copy of Reich Defense Law of 21 May 1935 and copy of Decision of Reich Cabinet of 12 May 1935 on the Council for defense of the Reich (2261–PS, USA–24, Tr. pp. 277, 292).

[74] Memorandum report about the Four Year Plan and preparation of the war economy, 30 December 1936 (EC–408, USA–579, Tr. pp. 279, 281, 287, 5874, 6083).

[75] Report on state of preparation for war economic mobilization as of 30 September 1934. (EC–128, USA–623, Tr. pp. 295, 2537).

[76] Law against Economic Sabotage, 1936 Reichsgesetzblatt, Part I, p. 999.

[77] Affidavit of Puhl, 2 November 1945. (EC–436, USA–620, Tr. pp. 255, 2535).

[78] Minutes of meeting of council of ministers on 27 May 1936. (1301–PS, p. 15, USA–123, Tr. p. 299).

[79] English transcript, p. 8342.

[80] English transcript, p. 2135.

[81] Excerpts from Diary kept by General Jodl, January 1937 to August 1939 (1780–PS, USA–72, Tr. pp. 556, 1157).

[82] Notes on a conference with Hitler in the Reich Chancellory, Berlin, 5 November 1937, signed by Hitler's Adjutant, Hossbach, and dated 10 November 1937 (386–PS, USA–25, Tr. pp. 336, 735, 2137).

[83] File of papers on Case Green (the plan for the attack on Czechoslovakia) kept by Schmundt, Hitler's Adjutant, April-October 1938 (388–PS, USA–26, Tr. pp. 735, 741–748, 760–765, 769–776, 793, 789–807).

[84] Excerpts from Diary kept by General Jodl, January 1937 to August 1939 (1780–PS, USA–72, Tr. pp. 556, 1157).

[85] File of papers on Case Green (the plan for the attack on Czechoslovakia) kept by Schmundt, Hitler's Adjutant, April-October 1938) 388–PS, USA–26, Tr. p. 744).

[86] Documents found in official Navy files containing notes year by year, from 1927 to 1940, on reconstruction of the German Navy, and dated 18 February 1938, 8 March 1938, September 1938. C–23, USA–49, Tr. p. 449).

[87] "Germany neither intends or wishes to interfere in the internal affairs of Austria, to annex Austria, or to unite with Austria." Berlin, May 21, 1935, Voelkischer Beobachter, May 22, 1935. "Immediately after the Anschluss, I informed Yugoslavia that the frontier in common with that country would henceforth be regarded as unalterable by Germany and that we wished to live with her in peace and friendship." Berlin, Oct. 6, 1939, Voelkischer Beobachter, October 7, 1939. "I have given binding declarations to a number of states. None of these can complain that even a trace of a demand contrary thereto has ever been made to them by Germany. None of the Scandinavian statesmen, for example, can contend that the German Government or that German public opinion has ever made a demand which was incompatible with the sovereignty and integrity of their state." Berlin, April 28, 1939, Voelkischer Beobachter, April 29, 1939. "We have given guarantees to the states in the West and have guaranteed to all contiguous neighbors the inviolability of their territory as far as Germany is concerned. That is not a phrase; that is our sacred will." Berlin, September 26, 1938, Voelkischer Beobachter, September 27, 1938. "Without taking the past into account, Germany has concluded a non-aggression pact with Poland. This is more than a valuable contribution to European peace, and we shall adhere to it unconditionally. We only hope that it will be renewed and continued uninterruptedly and that it will deepen the friendly relations between the two countries. With the understanding and heartfelt friendship of genuine nationalists, we recognize Poland as the home of a great and nationally conscious people." Berlin, May 21, 1935, Voelkischer Beobachter, May 22, 1935. "Germany has steadily given her assurance, and I solemnly repeat this assurance here, that between ourselves and France, for example, there are no grounds for quarrel that are humanly thinkable." Berlin, January 30, 1937, Voelkischer Beobachter, January 31, 1937.

[88] Notes on conference between Goering, Mussolini, and Ciano, 15 April 1939 (1874–PS, USA–125, Tr. p. 929).

[89] Note for Reichminister, 26 August 1938 (TC–76, GB–31, Tr. p. 980).

[90] Speech of Fuehrer at a conference, 23 November 1933, to which all Supreme Commanders were ordered (789–PS, USA–23 Tr. pp. 275, 931).

[91] Minutes of conference with Goering at the Air Ministry, 14 October 1938, concerning acceleration of rearmament (1301–PS, USA–123, Tr. pp. 295, 296, 299, 300, 2555, 2556, 2558, 2559, 5126). Notes on conference with Goering in Westerland on 26 July 1939, signed Mueller, dated Berlin, 27 July 1939 (R–133, USA–124, Tr. p. 928).

[92] Minutes of conference, 23 May 1939 "Indoctrination on the Political Situation and Future Aims." (L–79, USA–27, Tr. pp. 359, 408, 930).

[93] Minutes of Second Meeting of Reich Defense Council, 23 June 1939 3787–PS, USA–782, Tr. pp. 6406, 6167, 12875–12886).

[94] Minutes of conference, 23 May 1939, "Indoctrination on the Political Situation and Future Aims." (L–79, USA–27, Tr. pp. 359, 408, 930).

[95] Letter from Frank to Goering, 25 January 1940 (1375–PS, USA–172, Tr. p. 1273).

[96] Thierack's notes, 18 September 1942, on discussion with Himmler concerning delivery of Jews to Himmler for extermination through work (654–PS, USA–218, Tr. pp. 1350, 1950). Letter from Minister of Justice

to Prosecutors, 1 April 1944, concerning Poles and Jews who are released from Penal institutions of Department of Justice (701–PS, USA–497, Tr. p. 1940).

[97] Directive of 27 April 1943 to Commanders of Concentration Camps, regarding executions of prisoners (1933–PS, USA–459, Tr. p. 1844).

[98] Copy of telegram from Mueller to Himmler, 16 December 1942, concerning recruiting Jewish labor (1472–PS, USA–279, Tr. p. 1454). Mueller's order, 17 December 1942, concerning prisoners qualified for work to be sent to concentration camps (1063–D–PS, USA–219, Tr. p. 1354).

[99] Speer's conference minutes of Central Planning Board, 1942-44, concerning labor supply, P. 36 (R–124, USA–179, Tr. pp. 1286, 1293, 1309, 2989).

[100] Report signed by Doenitz, 1944, giving support to Navy and Merchant Marine. (C–195, GB–211, Tr. p. 2709).

[101] Speer's conference minutes of Central Planning Board, 1942-44, concerning labor supply (R–124, USA–179, p. 32, Tr. pp. 1293, 1286, 1309).

[102] Memorandum of 15 September 1941 from Canaris to Keitel concerning an OKW Order regulating the treatment of Soviet prisoners of war (EC–338, USSR–356, Tr. p. 4441).

[103] English transcript, p. 6016.

[104] Examples of violations of International Law and proposed counter propaganda, issued by OKW, 1 October 1938, (C–2, USA–90, Tr. p. 2959).

[105] OKW circular entitled Direction of War as Problem of Organization, 19 April 1938 (L–211, GB–161, Tr. p. 2397).

[106] English transcript p. 5786.

[107] Report by Raeder to Hitler, 16 October 1939 (UK–65, GB–224, Tr. p. 2734).

[108] Extract from Befehlshaber der U-bootes; Secret Standing Order No. 154 signed by Doenitz. (D–642, GB–196, Tr. p. 2663). Operation Order "Atlantic" No. 56 for U-boats in Atlantic, 7 October 1943 (D–663, GB–200, Tr. p. 2666).

[109] English transcript, p. 6069.

[110] English transcript, p. 5843.

[111] English transcript, p. 6050–6052.

[112] Extracts from testimony of Goering: "As soon as we had come into power we were decided to keep that power under all circumstances * * * we could not leave this to the play of coincidence by way of elections and parliamentary majorities * * * (Tr. p. 5824). "The Laender Parliaments * * * I considered entirely superfluous * * * I could not understand why so many different authorities should exist which, with their unnecessary frictions, discussions, arguments, could only prevent constructive work * * * A further point in the strengthening of power was the elimination of the Reichstag as a parliament * * * In some cases we suggested to the former parties they dissolve themselves, because they had no purpose, and those who would not dissolve themselves were dissolved by us." (Tr. p. 5828). "* * * Towards the further strengthening of power, those laws were established which * * * did away with the so-called freedoms * * * (Tr. p. 5829). (See also Tr. pp. 6049, 6051.) Frick accurately predicted the Nazi method of dealing with political opponents when he declared to an opposing member of the Reichstag in 1932, "Don't worry, when we are in power, we shall put all of you guys into concentration camps." (Affidavit of Gerhart H. Seger, L–83, USA–234).

[113] English transcript, p. 6064.

[114] English transcript, p. 6054.

[115] English transcript, p. 5860.

[116] Stenographic report of the meeting on The Jewish Question, under the Chairmanship of Fieldmarshal Goering, 12 November 1938, (1816–PS, USA–261, Tr. p. 1440).

[117] Memorandum, 19 November 1938, concerning meeting of Reich Defense Council (3575–PS, USA–781, Tr. p. 6406, 6157). See also Tr. p. 5846. For similar reasons Goering preferred the destruction of Jews rather than of their property (1816–PS).

[118] English transcript, p. 13706.

[119] Other factors were not overlooked. One of the reasons for von Neurath's selection as Foreign Minister at the beginning of the Nazi regime was his excellent connections abroad. (Tr. p. 6024).

[120] Hitler's speech to Commanders-in-Chief, 22 August 1939 (1014–PS, USA–30, Tr. p. 377).

[121] Affidavit of Alfred Helmut Naujocks, 20 November 1945 (2751–PS, USA–482, Tr. p. 1907). Likewise, Jodl noted in his diary a few weeks before the planned invasion of Norway that the Fuehrer was still looking for an excuse for the operation (1809–PS, GB–88, Tr. p. 1088, 2403).

[122] Case Green with wider implications, report of Intelligence Division, Luftwaffe General Staff, 25 August 1938. (375–PS, USA–84, Tr. p. 752).

[123] Minutes of conference, 23 May 1939, "Indoctrination on the political situation and future aims." (L–79, USA–27, Tr. pp. 359, 408, 930).

[124] Goering has accepted responsibility for the Nurnberg Laws, which he signed (Tr. p. 5871), for the Austrian Anschluss (Tr. p. 5895), and for the use of prisoners of war in armament industries (Tr. p. 6219). Von Schirach has admitted responsibility for the training of the Hitler Youth: "It is my guilt that I educated the German youth for a man who committed murders million-fold. I believed in that man. That is all that I can say as an explanation for my attitude. But that guilt is my own, my personal guilt. I had the responsibility for the youth. I carried the authority of command; and so I alone carry the guilt for that youth." (Tr. p. 10295). Frank has admitted, "I feel a terrible guilt within me." (Tr. p. 8092).

[125] Goering blamed persecution of the churches on Himmler and Bormann. (Tr. p. 5856.) Schirach blamed extermination of the Jews on Hitler and Himmler: "The murder was ordered by Adolf Hitler * * * he and Himmler together committed that crime, which of all times is the darkest spot in our history. It is a crime which is shameful to every German." (Tr. p. 10293).

[126] Final argument of Dr. Stahmer, counsel for Goering. (Tr. pp. 12973, et seq.)

[127] "The Nazi Plan," excerpt of script of a motion picture composed of captured German film. (3054–PS, USA–167, Tr. p. 1264).

[128] Goering testified: "No, I did not want any war * * *" (Tr. p. 6087.) Ribbentrop testified: "The Fuehrer has—and then I have upon his orders, and I believe I may be a good witness for it myself—always tried to solve these problems in a diplomatic way." (Tr. p. 6826.)

[129] Goering testified: "to set aside Versailles, the State had to be strong,

for a weak State was never listened to; that we know from experience." (Tr. p. 6070.)

[130] Goering testified: "I told the Fuehrer that in spite of this principal point of view I oversaw a menace threatening from Russia; I still would ask him to rather let this menace continue to exist and, if it was at all possible, to try to direct the interests of Russia against England." (Tr. p. 5957.)

[131] English transcript, p. 6048.

[132] English transcript, pp. 5894-5, 6036, 6069.

[133] English transcript, p. 5998.

[134] Other defendants admitted that the wars were aggressive. Schacht testified: "Q. Well, we found something we agree on, Doctor. You knew of the invasion of Poland? A. Yes. Q. As an unqualified act of aggression on Hitler's part? A. Absolutely. Q. And of Holland? A. Absolutely. Q. And of Denmark? A. Absolutely. Q. And of Norway? A. Absolutely. Q. And of Yugoslavia? A. Absolutely. Q. And of Russia? A. Absolutely, sir; and Norway and Belgium, which you left out." (Tr. p. 8910.)

[135] Goering testified: "I urged him not at that moment or an even short time thereafter to start any war against Russia." (Tr. p. 5956; see also Tr. p. 6056.) Keitel testified that he wrote a memorandum to Hitler opposing the attack on Russia. He said: "But I did in that memorandum most certainly refer to the fact that the Non-aggression Pact existed." (Tr. p. 7096.)

[136] English transcript, p. 12929.

[137] OKW Directive for Unified Preparation for War 1937-1938, with covering letter from von Blomberg, 24 June 1937. (C–175, USA–69, Tr. p. 547). Yet it was in this period that Goering was trying out the strength of his Luftwaffe in the Spanish Civil War (Tr. p. 5871). Goering has admitted the non-defensive nature of the Luftwaffe (Tr. p. 5869).

[138] Final argument of Dr. Stahmer, counsel for Goering. "Therefore a conspiracy with a dictator at its head is a contradiction in itself. A dictator does not enter into a conspiracy with his followers, he does not make any agreement with them, he dictates." (Tr. p. 12970.)

[139] English transcript, p. 12155.

[140] English transcript, p. 12183.

[141] English transcript, pp. 5854, 6036, 6056

[142] Extracts from Organization Book of the NSDAP, 1943 edition. (1893–PS, USA–323, Tr. p. 1578) .

[143] Criminal Code, 1871, Sec. 128 (never repealed).

[144] Goering testified: "In the case of Schacht he was a very strong personality and whilst not wanting to over-emphasize my importance and disregarding whether we were friends or not, on the basis of the two positions we had to get into difficulties and one or the other had to cede finally." (Tr. p. 6082.)

[145] "Q. Mr. Dahlerus, will you tell me whether I got all of your last answer to Dr. Stahmer correctly? Did you say that 'I then realized that it was on the 26th of September, that his, Goering's aim, had been to split Poland and grab and occupy Poland with the consent of Great Britain'? Is that right? A. Yes, it is correct but I should like to say it was the German Government's including Goering's aim." (Tr. p. 6119.) The Fuehrer informed Goering some time before the attack on Poland was launched that the task was to "eliminate British intervention." (TC–90, GB–64).

[146] Hitler's speech to Commanders-in-Chief, 22 August 1939. (1014–PS, USA–30, Tr. p. 376).

[147] Frank Diary, Tagebuch, 1 January 1944 to 28 February 1944. Entry of 14 January, 15 January, 8 February 1944. (2233–BB–PS, USA–295, Tr. p. 1501).

[148] Note, 11 April 1943, and report of speech of Koch in Kiev on 5 March 1943, concerning treatment of civilian population in Ukraine. (1130–PS, USA–169, Tr. p. 1269).

[149] Frank testified: "Q. Did you ever participate in the destruction of Jews? A. I say yes, and the reason why I say yes is because, being under the impression of these five months of this trial, and particularly under the impression of the statements made by the witness Hoess, I cannot allow it before my conscience that responsibility for all this should be handed over to these small people alone. I myself have never installed an extermination camp for Jews or demanded that they should be installed, but if Adolf Hitler personally has turned that dreadful responsibility over to these people of his, then it must be mine too. We have fought against Jewry; we have fought against it for years; and we have allowed ourselves to make utterances, and my own diary has become a witness against me in this connection —utterances which are terrible. It is my duty—my only duty—therefore. to answer your question in this connection with Yes. A thousand years will pass and this guilt of Germany will still not be erased." (Tr. p. 8099.)

[150] Funk explained that he did not hold "the position of minister as one would generally think of it." (Tr. p. 9014).

[151] Ribbentrop, Tr. p. 6857, 6823; Keitel, Tr. p. 7157; Funk, Tr. p. 9118; Goering, Tr. p. 6247.

[152] English transcript, p. 8910, supra note 121.

[153] English transcript, p. 8809, 8814-17, 8923-25.

[154] "The fact was that Hitler tried to use this defeat for the self-destruction of the German people, as Speer has testified and confirmed, in a most terrible way, and as I could observe in the last phase of the conflict in Berlin when, under the pretense of a false hope, fifteen-year-old, fourteen-year-old, and thirteen-year-old boys were equipped for war with hand firearms and called into battle, boys who perhaps might have been the hope for the period of reconstruction. Hitler fled into death, and he left the decree and the order to keep on fighting. He also left the official report that he had died in battle. I learned that he had committed suicide, and my last public statement, on 2 May 1945, was the publication of the fact of this suicide, for I wanted to kill a Hitler legend in the bud." (Tr. p. 12547). Dahlerus has recorded his impression of Hitler, before the war, as "a completely abnormal person." (Tr. p. 6125).

[155] English transcript, p. 12080.

[156] English transcript, p. 12117.

[157] Milch testified: "My offer that I would try to speak to Hitler against war once more was rejected by the Reichsmarshal as absolutely hopeless." (Tr. p. 5576).

[158] English transcript, p. 12118.

[159] English transcript, p. 6881.

[160] Minutes of second session of Working Committee of the Reich Defense Council held on 26 April 1933. (EC–177, USA–390, Tr. pp. 1699, 1727).

[161] Raeder testified: "That is the circumvention of the Versailles Treaty

as far as that was necessary to improve our defenses, which I explained during the recent days here. It was a matter of honor for every man to do it." (Tr. p. 9919).

[162] Goering testified: "During a conversation which I had with Foreign Minister von Ribbentrop who was in London at that time, I stressed that the ultimatum had not been put by ourselves but by Seyss-Inquart. That was absolutely true. Legally, in fact, of course I put it, but that telephone conversation was heard on the English side and I had to conduct a diplomatic conversation, and I have never heard yet that diplomats in such cases say later how it was in fact, but they always stress how it was de jure, and why should I be an exception there?" (Tr. p. 5891). But the transcript of the telephone conversation between Goering and Seyss-Inquart which led to the capitulation of Austria shows Goering saying: "Now, remember the following: You go immediately together with Lt. General Muff and tell the Federal President that if the conditions which are known to you are not accepted immediately, the troops who are already stationed in and advancing to the frontier will march in tonight along the whole line, and Austria will cease to exist." Transcript of telephone calls from Air Ministry, 11-14 March 1938. (2949–PS, USA–76, Tr. p. 566).

[163] German assurance to Czechoslovakia of 11 March 1938. (TC–27, GB–21, Tr. p. 962).

[164] Speer's conference minutes of Central Planning Board, 1942-44, concerning labor supply. (R–124, USA–179, Tr. pp. 1286, 1293, 1309, 2989).

[165] English transcript, p. 5878.

[166] English transcript, p. 6150.

[167] English transcript, p. 5900; see also Tr. p. 5998.

[168] English transcript, p. 8527.

[169] English transcript, pp. 8516-19.

[170] English transcript, p. 13276.

[171] English transcript, p. 6857.

[172] Examples of the application of this philosophy may be found in Goering's explanation of his art looting: he had intended to put his pictures in a gallery which he intended to construct for the German people—some day (Tr. p. 5934); his statement that he had always held that captured enemy airmen were to be treated as "comrades" (Tr. p. 5979); and his attempt to minimize his words advocating harsh treatment of the Jews, as the result of conversational excitement (Tr. p. 6192).

CLOSING ADDRESS FOR UNITED KINGDOM, GREAT BRITAIN AND IRELAND

by

SIR HARTLEY SHAWCROSS

The Purpose of The Trial

That these Defendants participated in and are morally guilty of crimes so frightful that the imagination staggers and reels back at their very contemplation is not in doubt. Let the words of the Defendant Frank, which were repeated to you this morning, be well remembered: "thousands of years will pass and this guilt of Germany will not be erased." Total and totalitarian war, waged in defiance of solemn undertakings and in breach of Treaties; great cities, from Coventry to Stalingrad, reduced to rubble, the countryside laid waste, and now the inevitable aftermath of war so fought—hunger and disease stalking through the world: millions of people homeless, maimed, bereaved. And in their graves, crying out, not for vengeance but that this shall not happen again, ten million who might be living in peace and happiness at this hour, soldiers, sailors, airmen and civilians killed in battles that ought never to have been.

Nor was that the only or the greatest crime. In all our countries when perhaps in the heat of passion or for other motives which impair restraint some individual is killed, the murder becomes a sensation, our compassion is aroused, nor do we rest until the criminal is punished and the rule of law is vindicated. Shall we do less when not one but on the lowest computation twelve million men, women, and children are done to death. Not in battle, not in passion, but in the cold, calculated, deliberate attempt to destroy nations and races, to disintegrate the traditions, the institutions and the very existence of free and ancient States. Twelve million murders. Two thirds of the Jews in Europe exterminated, more than six million of them on the killers' own figures. Murder conducted like some mass production industry in the gas chambers and the ovens of Auschwitz, Dachau, Treblinka, Buchenwald, Mauthausen, Maidanek and, Oranienburg. *(2738–PS, USA 296)*

And is the world to overlook the revival of slavery in Europe, slavery on a scale which involved 7,000,000 men, women, and children taken from their homes, treated as beasts, starved, beaten, and murdered?

It may be that the guilt of Germany will not be erased for the people of Germany share it in large measure, but it was these men who, with a handful of others, brought that guilt upon Germany and perverted the German people. "It is my guilt"—confessed the defendant Schirach—"that I educated the German youth for a man who committed murders a millionfold."

For such crimes these men might well have been proceeded against by summary executive action and had the treatment, which they had been parties to meting out against so many millions of innocent people, been meted out to them they could hardly have complained. But this Tribunal is to adjudge their guilt not on any moral or ethical basis alone, but according to law. That natural justice, which demands that these crimes should not go unpunished, at the same time insists that no individual should be punished unless patient and careful examination of the facts shows that he shared the guilt for what has been done. And so, during these many months, this Tribunal has been investigating the facts and has now to apply the law in order both that justice may be done to these individuals as to their countless victims, and also that the world may know that in the end the predominance of power will be driven out and law and justice shall govern the relations between States.

For the effects of this trial will reach out far beyond the punishment of a score or so of guilty men. Issues are at stake far greater than their fate, although upon their fate those issues, in some measure, depend. In the pages of history it will count for nothing whether this trial lasted for two months or for ten. But it will count for much that by just and patient examination the truth has been established about deeds so terrible that their mark may never be erased, and it will count for much that law and justice have been vindicated in the end.

Within the space of a year evidence far exceeding that previously presented to any Tribunal in history has been collected, sifted, and placed before you. Almost all of that evidence consists of the captured records and documents of the Government to which these men belonged, and much of it directly implicates each one of them with knowledge of, and participation in, one or other aspect of the crimes committed by the Nazi State. This evidence has not been refuted and it will remain forever to confront those who may hereafter seek to excuse or mitigate that which has been done. Yet now that this mass of evidence has been presented to you, I shall invite you for a little to detach your minds from its detail to consider the cumulative effect and to review this overwhelming case as a whole. It is only by chance that their own captured papers have enabled us to establish these crimes out of the very mouths of the criminals. But the case against these men can be established on a broader basis than that, and must be looked at in the light of its historical background.

The General Conspiracy

(A) THE NAZI AIMS

When one considers the nature and the immensity of the crimes committed, the responsibility of those who held the highest positions of influence and authority in the Nazi State is manifest beyond doubt. For years, in a world where war had itself been declared a crime, the German State was organized for war; in a world where we proclaim the equality of men, for years the Jews were boycotted, deprived of their elementary rights of property, liberty, life itself; for years honest citizens lived in fear of denunciation and arrest by one or other of the organizations, criminal as we allege them to be, through which these men ruled Germany; for years throughout the German Reich millions of foreign slaves worked in farm and factory, were moved like cattle on every road, on every railway line.

These men, with Hitler, Himmler, Goebbels, and a few other confederates were at once the leaders and the drivers of the German people; it was when they held the highest positions of authority and of influnce that these crimes were planned and perpetrated. If these men are not responsible, who are? If minions who did no more than obey their orders, Dostler, Eck, Kramer, and a hundred others have already paid the supreme penalty, are these men less responsible? How can it be said that they and the offices of State which they directed took no part? Lammers, their own witness, Head of the Reich Chancellory, said in 1938:

> "Despite the total basic concentration of power of authority in the person of the Fuehrer, no excessively strong and unnecessary centralization of administration in the hands of the Fuehrer results in the governmental administration * * * directed downwards, forbids interference with every individual order he may issue. This principle is manipulated by the Fuehrer in his governmental leadership in such a way that, for example, the position of Reich Ministers is actually much more independent today than formerly even though today the Reich Ministers are subordinated to the Fuehrer's unlimited power of command. Willingness to bear responsibility, ability to make decisions, aggressive energy and real authority—these are the qualities which the Fuehrer demands primarily of his subordinate leaders. Therefore he allows them the greatest freedom

in the execution of their affairs and in the manner in which they fulfill their tasks" *(3863–PS, GB 320)*.

Let them now, accused murderers as they are, attempt to belittle the power and influence they exercised how they will, we have only to recall their ranting, as they strutted across the stage of Europe dressed in their brief authority, to see the part they played. They did not then tell the German people or the world that they were merely the ignorant, powerless puppets of their Fuehrer. The Defendant Speer has said:

> "Even in a totalitarian system there must be total responsibility * * * it is impossible after the catastrophe to evade this total responsibility. If the war had been won, the leaders would also have assumed total responsibility".

Had the war been won is it to be supposed that these men would have retired to the obscurity and comparative innocence of private citizenship? That opportunity was denied to them before the war had they wished to disassociate themselves from what was taking place. They chose a different path. From small beginning, at a time when resistance instead of participation could have destroyed this thing, they fostered the Hitler legend, they helped to build up the Nazi Power and ideology and to direct its activities until, like some foul octopus, it spread its slime over Europe and extended its tentacles throughout the world. Were these men ignorant of the ends sought to be achieved during that period of the rise to power? Paul Schmidt, Hitler's interpreter, a witness of great knowledge, has testified:

> "The general objectives of the Nazi leadership were apparent from the start—namely, the domination of the European continent to be achieved first by the incorporation of all German speaking groups in the Reich, and secondly, by territorial expansion under the slogan of 'Lebensraum'" *(3308–PS, GB 288)*

That slogan "Lebensraum"—that entirely false idea that the very existence of the German people depended upon territorial expansion under the Nazi flag—was from the earliest days an openly avowed part of the Nazi doctrine—yet any thinking person must have known that it would lead inevitably to war.

It was the justification Hitler offered to his fellow conspirators at those secret meetings on the 5th November 1937, 23rd May and 23rd November 1939, at which the fate of so many countries was sealed *(386–PS, USA 25; L–79, USA 27; 789–PS, USA 23)*.

Although less concrete it was no less false than the demand for a revision of the Treaty of Versailles. The so-called injustice of Versailles so cunningly exploited to provide a popular rallying point under the Nazi banner had succeeded in uniting behind the Nazis many Germans who would not otherwise have supported some of the rest of the Nazi program.

And the effect of that propaganda can be judged from the repeated efforts here made by the Defense to develop the alleged injustice of the Treaty. Unjust or not, it was a Treaty and no Government content to live at peace need have complained of its provisions. Even if the complaints were justified, there was comparatively soon no ground left for them. The provisions of the Treaty could have been—in some respects they were—revised by peaceful negotiations. By 1935, four years before the world was plunged into war, these men had publicly renounced the Treaty, and by 1939 not only were they free of nearly all the restrictions of which they had complained, but they had seized territory which had never belonged to Germany in the whole of European history. The cry of Versailles was a device for rallying men to wicked and aggressive purposes. But it was a device less diabolical than the cry of anti-Semitism and racial purity, by which these men sought both to rally in their own country and to sow discord and antagonism amongst the people of foreign lands. Rauschning reports Hitler's statement:

> "Anti-Semitism is a useful revolutionary expedient. Anti-Semitic propaganda in all countries is an almost indispensable medium in the extension of our political campaign. You will see how little time we shall need in order to upset the ideas and criteria of the whole world simply and solely by attacking Judaism. It is beyond question the most important weapon in my propaganda arsenal" *(USSR 378)*

And as a result of this wicked propaganda, I would remind you of the words of Bach Zelewski who, when he was asked how Ohlendorf could admit that the men under his command had murdered 90,000 people, replied:

> "I am of the opinion that when, for years, for decades, the doctrine is preached that the Slav race is an inferior race and Jews not even human, then such outcome is inevitable."

And so, from the earliest day, the aims of the Nazi movement were clear and beyond doubt: expansion, European domination, elimination of the Jews, ultimate aggression, ruthless disregard of the rights of any people but themselves.

Such were the beginnings. I shall not pause to trace the Nazi Party's growth to power; how, as the writer of the History of the SA has said they found that

> "Possession of the streets is the key to power in the State" *(2168–PS, USA 411)*

or how, by the organized terror which the witness Severing has described the storm troops of Brownshirts terrified the people whilst the Nazi propaganda, headed by "Der Sturmer", villified all opponents and incited people against the Jews.

I shall not examine that period, grave as are the lessons which democratic peoples ought to learn from it, for it may not be easy to say exactly at what date each of these Defendants must have realized, if, indeed, he had not known and gloried in it all from the beginning, that Hitler's apparently hysterical outpourings in Mein Kampf were intended in all seriousness and that they formed the very basis of the German plan. Some, no doubt, such as Goering, Hess, Ribbentrop, Rosenberg, Streicher, Frick, Frank, Schacht, Schirach, and Fritzsche realized it very early. In the case of one or two, such as Doenitz and Speer, it may have been comparatively late. Few can have been ignorant after 1933—all must have been active participants by 1937. When one remembers the apprehension caused abroad during that period there can be no doubt, in our submission, that these men, almost all of whom were the rulers of Germany from 1933 onwards, Hitler's intimate associates, admitted to his secret meetings, with full knowledge of plans and events not only acquiesced in what was taking place, but were active and willing participants.

May I then examine, in a little more detail, the period of the "build up"—the position of domestic government in Germany between 1933 and 1939; because what happened then makes clear the criminal involvement of these men in what was done later. What I say now has some special reference to the first Count in the Indictment, for it is against this general background that must be considered the allegation that these men were common conspirators to commit the crimes (such as crimes against peace and the crime against humanity), which are more specifically charged in the later Counts.

(B) THE NAZI BUILD UPS
1933-1939

Totalitarian Government brooks no opposition. Any means justifies the end and the immediate end was ruthlessly to gain complete control of the German State and to brutalize and train its people for war. What stood in the way in January 1933? Firstly, the members of the other political parties; secondly the democratic system of election and of public assembly, the organization of trade unions; thirdly the moral standards of the German people, and the Churches which fostered them.

Accordingly, the Nazis set out, quite deliberately, to eliminate this opposition: the first, by imprisoning or terrorizing their opponents; the second, by declaring illegal all elements of tolerance and liberalism, outlawing trade unions and opposition parties, reducing the democratic assembly to a farce and controlling elections; the third, by systematic discouragement and persecution of religion, by replacing the ethics of Christianity with the idolatry of the Fuehrer and the cult of the blood and by rigidly controlling education and youth. Youth was systematically prepared for war and taught to hate and persecute the Jews; the plans for aggression required a nation trained in brutality and taught that it was both necessary and heroic to invade the peoples of other countries.

It is a measure of the wickedness and effectiveness of this domestic policy that, after six years of rule, the Nazis found little difficulty in leading a perverted nation into the greatest criminal enterprise in history. It is perhaps, worth considering from the evidence, a few examples of how this policy developed during these six years. They are examples of what was happening in every German town and village. It must be remembered here, that in the need to avoid cumulative evidence you have, in the result, been deprived of its cumulative effect.

First then, the elimination of political opponents. Within six weeks of the Nazis coming to power in January 1933, the German newspapers were quoting official sources for the statement that 18,000 Communists had been imprisoned whilst the 10,000 prisoners in the gaols of Prussia included many Socialists and intellectuals. The fate of many of these men was described by Severing, who estimated that at least 1,500 Social Democrats and a similar number of Communists were murdered in the concentration camps recently established by Goering as Chief of the Gestapo. *(D–911, GB 512)*

These camps, controlled by the Party organizations, were deliberately so run as to strike terror throughout the country. In the words of the witness Severing, the concentration camps represented for the people "the incarnation of all the terrible".

Goering has said

> "We found it necessary that we should permit no opposition to us."

and he admitted that there were arrested and taken into protective custody people who had committed no crime.

It might have been well, if at that time, they had read the maxim of which they spoke yesterday, nulla poena sine lege.

Goering added

> "if everyone knows that if he acts against the state he will end up in a concentration camp * * * that is to our advantage".

The camps were at first run indiscriminately by the SA and the SS and according to Goering were created

> "as an instrument which at all times was the inner political instrument of power."

Gisevius, who at that time had recently joined the Gestapo, you remember, gave the following description:

> "I was hardly more than two days in that new police office when I had discovered already that incredible conditions existed there. There was no police which interfered against crimes, against murder, against arrests, against burglary. There was a police organization which protected just those who committed such crimes. Those arrested were not those who were guilty of such crimes, they arrested those who sent their cries for help to the police. It was not a police which interfered for protection but a police whose task, it seemed, was, in fact, to hide, to cover up, and to sponsor crimes, those commandos of the SA and SS who played police were encouraged by that so-called Secret State Police and all possible aid was given to them * * *.
>
> "Special concentration camps for the Gestapo were installed and their names will remain for a terrible shame in history. They were Oranienburg and the private prison of the Gestapo, in the Papenstrasse, the Columbia House, or, as it was called cynically, the "Columbia Diele" * * * I asked one of my colleagues, who was also a professional civil servant * * * 'Tell me, please, am I here in a police office or in a robber's cave?' The answer that I received was: 'You are in a burglar's cave and you can expect that you will see much more yet' ".

Gisevius went on to describe Goering's order to murder the National Socialist Strasser and how he gave "blank authority" for murder to the political police by signing a form granting amnesty to the policeman, leaving a blank space for the name of the murdered person in respect of whom the amnesty had been granted.

If confirmation of the evidence of these defense witnesses were required, it is to be found in the period of reports dated May and June 1933 from the Munich Public Prosecutor to the Minister of Justice which are in evidence recording a succession of murders by SS officials in the concentration camp at Dachau *(641–PS,* *USA 450; 642–PS, USA 451; 644–PS, USA 452; 645–PS, USA 453).*

In 1935, the Reich Minister of Justice in writing to Frick his protesting against numerous instances of ill treatment in concentration camps including *(3751–PS, USA 828)*

> "Beating as a disciplinary punishment * * * ill-treatment mostly of political internees in order to make them talk * * * and ill-treatment of internees arising out of sheer fun or sadistic motives"

went on to complain that

> "the beating of the Communists held in custody is regarded as an indispensable police measure for a more effective suppression of Communist activities".

And after citing instances of torture, he concludes:

> "These few examples show a degree of cruelty which is an insult to every German sensibility".

Frick's sensibility was apparently not so tender—the very next year he received a similar protest from one of his own subordinates and shortly afterwards he issued a decree making all police forces subordinate to Himmler, the very man whom he knew to be responsible for these atrocities. *(775–PS)*

These brutalities, well known to Ministers, as we suggest they were, were not confined to the privacy of concentration camps. It is perhaps worth quoting one instance from the thousands who suffered from the policy which was being pursued.

The Tribunal will remember the account by Sollman, a Social Democrat, and member of the Reichstag from 1919 to 1933. He spoke of the incident on March 9th of 1933 when, to quote his own words *(3221–PS, USA 422):*

> "Members of the SS and SA came to my home in Cologne and destroyed the furniture and my personal records. At that time I was taken to the Brown House in Cologne, where I was tortured, being beaten and kicked for several hours. I was then taken to the regular Government Prison in Cologne where I was treated by two medical doctors and released the next day. On March 11, 1933, I left Germany".

The second object, the suppression of all democratic institutions, was comparatively simple. The necessary laws were passed to outlaw trade unions: the Reichstag became a farce directly the opposition parties had been dissolved and their members had been put in concentration camps. The witness Severing has spoken of the treatment of the Reichstag members. In 1932, on von Papen's order he, who was chief of the Prussian Ministry of the Interior, was forcibly removed from his office. It was not long after the 30th of January 1933, that the Communist and Social Democratic parties were decreed illegal and all form of public expression, other than by the Nazis, was prevented. This action resulted from deliberate planning. Frick had said as long before as 1927 *(2513–PS, USA 235)*:

> "The National Socialists longed for the day when they could put an inglorious but well deserved end to this infernal sham of a Parliament and open the way for a racial dictatorship".

At this time when democratic Government is seeking to re-establish itself throughout the world, the Nazi attitude to elections is not to be forgotten. Free elections could not, of course, be permitted. Goering had told Schacht in February 1933 when seeking money for the Party from industry *(D–203, USA 767)*:

> "The sacrifices asked for will surely be so much easier for industry to bear if it is realized that the election of March 5th will be the last one for the next ten years, probably for the next 100 years."

In these circumstances it is not surprising to find that thereafter, as the evidence such as the SD report on the conduct of the plebiscite at Kappel makes clear, the occasional votes of the people, always announced as triumphs for the Nazis, were conducted dishonestly. *(R–142, USA 481)*

I turn to the third class of opposition, the Churches. Bormann's memorandum sent in December 1941 to all Gauleiters and distributed to the SS sums up the Nazi attitude to Christianity *(D–75, USA 348)*:

> "National Socialist and Christian concepts are irreconcilable. * * * If therefore in the future our youth knows nothing more of this Christianity whose doctrines are far below ours, Christianity will disappear by itself. * * * All influences which might impair or damage the leadership of the people exercised by the Fuehrer with the aid of NSDAP must be eliminated. More and more the people must be separated from the churches and their organs, the pastors."

The persecution of the churches makes a melancholy story. From the abundance of evidence which has been submitted to the Tribunal it is perhaps permissible to quote from a complaint to Frick made early in 1936 *(775–PS)*:

> "Lately half the political police reports concern clerical matters. We have untold petitions from all kinds of cardinals,

> bishops, and dignitaries of the Church. Most of these complaints concern matters under the jurisdiction of the Reich Ministry of the Interior, although the respective rules were not decreed by it * * *"

And then after referring to the chaos resulting from the division of authority between the various police forces, the report goes on to refer to the results of the religious struggle:

> "Instances of gross disturbances of congregations are mounting terribly fast lately, often necessitating the intervention of the emergency squad. * * * After discarding the rubber truncheon, the idea of exposing executive officials to situations in which, during gross interruption of meetings they may be forced to use cold steel, is unbearable."

The diary of the Minister of Justice for 1935 provides ample instances of the sort of behaviour which was being encouraged by the Hitler Youth under the defendant Schirach and the Defendant Rosenberg. The Hitler Jugend, whose membership increased from just under 10,000 in 1932 to nearly 8,000,000 in 1939 was organized on a military basis. The close collaboration between Keitel and Schirach in their military education has been described; the special arrangement between Schirach and Himmler by which the Hitler Jugend became the recruiting organization for the SS is in evidence. You will not have forgotten the words of Schirach's deputy *(3751–PS, USA 858; 2435–PS; 2396–PS, USA 673; 1992–PS, USA 439):*

> "In the course of years we want to insure that a gun feels just as natural in the hands of a German boy as a pen."

What a horrible doctrine.

The terrorization, murder, and persecution of political opponents, the dissolution of all organizations affording opportunity for opposition, criticism or even free speech, the systematic perversion of youth and training for war would not, however, have sufficed without persecution of the Jews. Let no one be misled by the metaphysical explanations which are put forward for this most frightful crime. What Hitler himself in this very town described as the fanatical combat against the Jews was part and parcel of the policy of establishing Ein Herrenvolk, which would dominate Europe and the world, and so persecution of the Jews was popularized throughout the regime. It gave the youths a butt to bully and so to acquire practical schooling in brutality.

With the accession to power the persecution of the Jews increased in violence. The final solution of mass murder had then been conceived. In Mein Kampf of Hitler, the Bible of the Nazis, Hitler had regretted that poison gas had not been employed to exterminate the German Jews during the last war, and as early as 1925 Streicher said *(M–13, GB 165):*

> "Let us make a new beginning to-day, so that we can annihilate the Jew."

It may be that he, even before Hitler, Himmler, or the others, had visualized the annihilation of the Jews, but the Nazis were not at first ready to completely defy world opinion and they confined themselves to persecution and to making life in Germany unbearable for Jews. To the never ceasing accompaniment of the Sturmer and the official Nazi Press the campaign of Jew baiting was fostered and encouraged. Rosenberg, von Schirach, Goering, Hess, Funk, Bormann, Frick joined hands with Streicher and Goebbels. The boycott in April 1933 celebrated the Nazi accession to power and provided only a taste of what was to follow. It was accompanied by demonstrations and window smashing—action "mirror" as it has been referred to in this Court. Accounts of typical incidents are given in the affidavit of the witness Geist who describes the events in Berlin on March 6th, 1933 *(1759–PS, USA 420)*:

> "Wholesale attacks on the Communists, Jews, and those who were suspected of being either, mobs of SA men roamed the streets, beating up, looting, and even killing persons."

In 1935 followed the infamous Nurnberg Decrees. In 1938 the so-called spontaneous demonstrations ordered throughout Germany resulted in the burning of the synagogues, the throwing of 20,000 Jews into concentration camps with the accompaniment of penalties, of aryanization of property, and the wearing of a yellow star.

The cynicism of these men and the merciless character of their policy towards the Jews appeared at Goering's meeting of 12th November 1938, when they vied with each other in suggesting methods of degrading and persecuting their helpless victims. Neither Hitler nor Himmler, whom to-day they seek to blame, was present, but who, reading record of that meeting, can doubt the end in store for the Jews of Europe? At that meeting Heydrich reported on the events of the 12th November: 101 synagogues destroyed by fire, 76 demolished, and 7,500 stores ruined throughout the Reich. The approximate cost of replacing broken glass alone was estimated at RM 6,000,000 and the damage to one store alone in Berlin at RM 1,700,000. Heydrich also reported 800 cases of looting, the killing of 35 Jews, and estimated the total damage of property, furniture and goods at several hundred million Reichsmarks *(1816–PS, USA 261; 3051–PS, USA 240).*

You will recall Heydrich's order for the riot, including the arrests of the Jews and their removal to concentration camps. After referring to the fact that demonstrations were to be expected in view of the killing of a German Legation official in Paris that night, he instructs the Police on the prospective burning of synagogues, destruction of business and private apartments of Jews, and in their duty to refrain from hindering the demonstrators.

> "The Police has only to supervise compliance with the instructions."

And finally:

> "In all districts as many Jews, especially rich ones, are to be arrested as can be accommodated in the existing prisons. For the time being only healthy men, not too old, are to be arrested. Upon their arrest, the appropriate concentration camps should be contacted immediately in order to confine them in these camps as fast as possible."

We now know from the evidence with regard to the seizure of the houses of Jews by Neurath and Rosenberg why the orders were to concentrate upon the richest *(1759-PS, USA 420)*.

These events were neither secret nor hidden. Ministers were writing to each other and discussing them. Long before 1939 they were common knowledge not only to Germany but to the whole world. Every one of these defendants must have heard again and again stories similar to that of Sollman. Almost all of them have sought to gain credit from helping one or two Jews; and you will remember the evidence of a special office in Goering's Ministry to deal with protests, and his witness Koerner who stated with pride that Goering had always intervened on behalf of individuals. Perhaps it afforded them some gratification or eased their conscience in some way occasionally to demonstrate their influence by exempting some unhappy individual who sought their favour from the general horror of the regime which they continued to uphold. But these men participated in a Government which was conducted without any regard for human decency or established law. There is not one of them who, being a member of the Government during that period, has not got the blood of hundreds of his own countrymen on his hands.

Goering and Frick established the concentration camps; the witness Severing and the documents quoted testify to the murders which took place in them at a time when these two were directly responsible. Even Goering could not defend all the murders of the 30 June 1934. He shares with Hess and Frick the responsibility for the Nurnberg Laws. The record of the meeting of the 12 November 1938 and Goering's initials on Heydrich's order of the 9th November require no comment *(1816–PS, USA 261; 3051–PS, USA 240)*.

As Ambassador in England, Ribbentrop must have been well aware of the fact, if only from the English papers, whilst his delegate Woermann assented to the atrocities reported to the meeting of the 12th November 1938. The previous owner of his country house, Herr von Remiz was placed in a concentration camp, and he expressed his sentiments towards the Jews to M. Donnet, on the 8th December 1938 in the following terms *(1816–PS, USA 261; L–205, GB 157)*.

> "The German Government had therefore decided to assimilate them (the Jews) with the criminal elements of the population. The property which they had acquired illegally would be taken from them. They would be forced to live in districts frequented by the criminal classes."

Hess, who set up an office for racial policy in 1933, shares responsibility for the Nurnberg decrees *(1814–PS, USA 328)*.

At the meeting of 12 November a full report was given of similar measures against the Jews in Austria and it seems certain that the defendant Kaltenbrunner as a faithful member of the Party was giving full support to the necessary measures *(1816–PS, USA 261)*. The evidence that Seyss-Inquart was playing his part is before the Tribunal *(3460–PS, USA 437; 1816–PS, USA 261)*. Rosenberg was writing "The Myth of the Twentieth Century" and taking his full share in the struggle against the Church and the Anti-Semitic policy of the Government, whilst even Raeder on Heroes' day 1939 was speaking of "the clear and inspiring summons to fight Bolshevism and International Jewry whose race-destroying activities we have sufficiently experienced on our own people" *(2349–PS, USA 352; D–653, GB 232)*.

Frick, as Minister of the Interior, bears a responsibility second to none for the horrors of the concentration camps and for the Gestapo, whilst Frank, as Minister of Justice for Bavaria, was presumably receiving the reports on the murders in Dachau. He was the leading jurist of the Party, a member of the Central Committee which carried out the boycott of the Jews in March 1933 and spoke on the wireless in March 1934 justifying racial legislation and the elimination of hostile political organizations. He also was present at Goering's meeting *(2156–PS, USA 263; 2536–PS)*.

The Tribunal will not require to be reminded of the part played by Streicher. It was in March 1938 that the Sturmer began consistently to advocate extermination, the first article of a series which was to continue throughout the next seven years, beginning with an article signed by Streicher ending with the words: "We are aproaching wonderful times—a Greater Germany without Jews" *(D–802, GB 327)*.

Funk, as Vice President of the Reich Chamber for Culture from 1933 had participated in the policy for the elimination of the Jews; he was present and assented to the recommendations at Goering's meeting in 1938 at which it will be remembered Goering suggested that it would have been better to kill 200 Jews, whereupon Heydrich mentioned that in fact the number was a mere 35 *(3505–PS, USA 653; 1816–PS, USA 261)*.

Schacht himself admitted that as early as the second half of 1934 and the first half of 1935 he found that he was wrong in thinking that Hitler would bring the "Revolutionary" force of the Nazis into a regulated atmosphere, and that he discovered that Hitler having done nothing to stop the excesses of individual Party members or Party groups, was pursuing a "policy of terror". Nevertheless he remained in office and Schacht accepted the Golden Party Badge in January 1937 when von Elz refused it *(EC–500)*.

Schirach has confirmed his part in insuring that the younger generation of Germany grew up rabid anti-Semites under his teaching. He cannot escape responsibility for training the youth to bully Jews; to persecute the Church; to prepare for war. This perversion of children is perhaps the basest crime of all.

Sauckel, who had joined the Party in 1921, filled the post of Gauleiter of Thuringia. He cannot have been ignorant of the persecution of the Church, of the Trades Unions, of other political parties and of the Jews, throughout this important Gau, and there is every reason to suppose that he gave the fullest support to these policies and thus enhanced his reputation with the Nazis. Papen and Neurath were in a better position to judge these matters than any of the other defendants, since it was their political associates who were being persecuted, whilst, in the case of Papen, some of his own staff were killed and he himself arrested, he was lucky to escape with his life *(2974–PS, USA 15)*.

Neurath's attitude to the Jews is shown by his speech in September 1933 *(3893–PS, GB 514)*:

> "The stupid talk about purely internal affairs, as for example the Jewish question, will quickly be silenced if one realizes that the necessary cleaning up of public life must temporarily entail individual cases of personal hardship but that nevertheless it only served to establish all the more firmly the authority of justice and law in Germany."

What prostitution of these great words!

Of the remainder, all were men of intelligence and already held positions of considerable authority. None of them can have been ignorant of what the whole world knew, yet not one of them has suggested that he made any effective protest against this regime of brutality and terror. All of these men continued in their spheres of government and in the highest positions of responsibility. Each in his part—and each a vital part—these men built up the evil thing, the ultimate purpose of which was so well known to them, and instilled the evil doctrines which were essential to the achievement of that purpose. It was Lord Acton—that great European—who, 80 years ago, in expressing his conviction of the sanctity of human life, said

> "The greatest crime is homicide. The accomplice is no better than the Assassin; the theorist is the worst."

The Crime Against Peace

I shall return if I may, later to the question of conspiracy and to the part these men played in it, but no conclusion upon the conspiracy charge in the first count of this Indictment is really possible until the specific crimes set out in the subsequent counts have been considered. And first of these is the crime against Peace, set out in Count 2. I say first, first in its place in the Indictment. Moralists may argue which is greatest in moral guilt. But this perhaps should be said at the very outset. It is said that there is no such crime as a crime against peace, and those superficial thinkers who, whether in this Court or in armchairs elsewhere, have questioned the validity of these proceedings, have made much of this argument. Of its merits I shall say something presently. But let it be said plainly now, that these defendants are charged also as common murderers. That charge alone merits the imposition of the supreme penalty and the joinder of this crime against peace in the Indictment can add nothing to the penalty which may be imposed on these individuals. Is it, then, a mere work of supererogation to have included this matter in the indictment at all? We think not, for the very reason that more is at stake here than the fate of these individuals. It is the crime of war which is at once the object and the parent of the other crimes; the crimes against humanity, the war crimes, the common murders. These things occur when men embark on total war as an instrument of policy for aggressive ends.

Moreover, taking this crime, the crime against peace, in isolation, it was responsible for the deaths in battle of ten million men, and for bringing to the very edge of ruin the whole moral and material structure of our civilization. Although it may be that it may add nothing to the penalty which may be imposed upon these men, it is a fundamental part of these proceedings to establish for all time that International Law has the power, inherent in its very nature, both to declare that a war is criminal, and to deal with those who aid and abet their States in its commission. I shall come back to the Law: let me first refer to the facts.

You have had from defense counsel an elaborate, but a partial and a highly controversial account of foreign relations leading up to 1939. I do not propose to follow them in that examination, nor am I concerned to say that as events have turned out, the policies pursued by the democratic powers may not sometimes have been weak, vacillating, and open to criticism. Defense counsel have sought to have some argument on the protocol attached to the German-Soviet Pact. They argue that it was wrong. I am not concerned with that, and of course I do not concede it. But let them argue that it was wrong. Do two wrongs make a right? Not in that international law which this Tribunal will administer.

The review which defense counsel have made entirely overlooks the two basic facts in this case, that from the time of "Mein Kampf" on, the whole aim of Nazi policy was expansion, aggression, domination, and that the democratic powers had to deal with a Germany of which that was, in spite of occasional lip service to peace, the fundamental aim. If peace was contemplated at all, it was peace only at Germany's price. And knowing that that price would not be and could not be paid voluntarily, the Germans were determined to secure it by force.

Whilst the German people were being psychologically prepared for war, the necessary measures of re-armament were taken simultaneously. At his conference on the 23rd November 1939, Hitler summed up this period of preparation in these words *(789–PS, USA 23):*

> "I had to reorganize everything beginning with the mass of the people extending it to the Armed Forces. First internal reorganization, eradication of appearances of decay and of defeatist ideas, education to heroism. While reorganizing internally, I undertook the second task to release Germany from its international ties * * * secession from the League of Nations and denunciation of the Disarmament Conference * * * After that the order for rearmament. In 1935 the introduction of compulsory armed service. After that militarization of the Rhineland."

The conspirators set out first to get rid of the political restraints which prevented rearmament. In October 1935 Germany left the League of Nations and in March 1935 renounced the Armament

Clauses of Versailles and informed the world of the establishment of an air force, of a large standing army, and of conscription. Already the Reich Defense Council had been set up and its Working Committee had had its second meeting as early as 26th April 1933 with representatives from every department. It is difficult, is it not, to believe that reading the minutes of these meetings, as they must have done, Neurath, Frick, Schacht, Goering, Raeder, Keitel, and Jodl, the last two being generally present, can have supposed that the regime did not intend war *(EC–177, USA 390; (2261–PS, USA 24):*

On the economic side Schacht already President of the Reichsbank and Minister of Economics, was made General Plenipotentiary for War Economy in May 1935. The appointment was to be a complete secret. His contribution is best expressed in his own words *(EC–611, USA 622):*

> "It is possible that no bank of issue in peacetime carried on such a daring credit policy as the Reichsbank since the seizure of power by National Socialism. With the aid of this credit policy, however, Germany created an armament second to none and this armament in turn made possible the results of our policy."

Schacht's speech on 29th November 1938 is seen to be no boast when the report of his deputy, which has been put in evidence, is considered *(EC–258, USA 625).*

That report shows that under Schacht's guidance, 180,000 industrial plants had been surveyed as to usefulness for war purposes. Economic plans for the production of 200 basic materials had been worked out. A system for the letting of war contracts had been revised, allocations of coal, motor fuel, and power had been determined, RM. 248,000,000 had been spent on storage facilities alone, evacuation plans for skilled workers and war materials and military zones had been worked out; 80,000,000 wartime ration cards had already been printed and distributed to local areas and a card index on the skill of some 20,000,000 workers had been prepared.

The most detailed and thorough preparations which that report sets out were not made without the knowledge of every member of the government and no more graphic illustration of the common purpose and awareness of the aim which permeated all departments of the State is to be found than the second meeting of the Reich Defense Council itself held on 25th June 1939, under the presidency of the defendant Goering, the head of the 4-year plan. The defendants Frick, Funk, Keitel and Raeder were present and Hess and Ribbentrop were represented. The methodical detail in the plans which were being worked out; the preparations in respect of manpower involving the use of concentration camp workers and the unfortunate slaves of the protectorate are eloquent testimonies of the size of the struggle upon which these men know that Germany was about to embark.

The major share in rearmament must be attributed to the defendants Goering, Schacht, Raeder, Keitel, and Jodl, but the others, too, each in his sphere, played their parts: Rosenberg, Schirach, and Streicher in education, Doenitz in the preparation of the U-boat fleet, Neurath and Ribbentrop in the field of foreign affairs.

Funk and Fritzsche were reorganizing propaganda and news systems until the former succeeded Schacht and became Minister of Economics and in September 1938 General Plenipotentiary for Economics. As Plenipotentiary Funk was charged with insuring the economic conditions for the production of the armament industry, according to the requirements of the High Command. Frick as Plenipotentiary for the Reich administration, with Funk and Keitel, formed the three-man college planning preparations and decrees in case of war *(2978–PS, USA 8).*

It is unnecessary in assessing this work of rearmament to do more by way of summary than to quote the words of Hitler himself in the memorandum which Jodl described as written during two nights of work by the Fuehrer personally and which he sent to the defendants Raeder, Goering, and Keitel. In that memorandum of 9th October 1939, Hitler finally disposes of the evidence of these defendants that Germany was never adequately prepared for war *(L–52, USA 540).*

> "The military application of our people's strength has been carried through to such an extent that within a short time at any rate it cannot be markedly improved upon by any manner of effort."

and again:

> "The warlike equipment of the German people is at present larger in quantity and better in quality for a great number of German divisions, than in the year 1914. The weapons themselves, taking a substantial cross section, are more modern than is the case with any other country in the world at this time. They have just proved their supreme war-worthiness in a victorious campaign. In the case of the armaments of other countries this has yet to be demonstrated. In some arms Germany today possesses clear indisputable superiority of weapons."

And then, speaking of the ammunition available after the conclusion of the Polish campaign:

> "There is no evidence available to show that any country in

> the world disposes of a better total ammunition stock than the German Reich. * * * The Air Force at present is numerically the strongest in the world. * * * The AA artillery is not equalled by any country in the world."

That, then, was the practical result of six years of intensive rearmament carried out at the expense and with the knowledge of the whole of the German people.

Meanwhile the Youth of Germany was educated and drilled in semi-military formations for war and then, on reaching the age for conscription, was called up for intensive training. This was going on throughout the Reich, together with the enormous work of economic preparation. Is it to be believed that any one of these men did not guess the purpose of this terrific effort?

If, indeed, any of them was in doubt, the successful actions in which, to use the words of one of Neurath's witnesses, "the Nazis were able to reap cheap laurels without war through the successfully practiced tactics of bluff and sudden surprise," must have opened their eyes.

The first step was the Rhineland and the technique became the model for each subsequent move. On 21st May 1935, Hitler gave a solemn assurance that the stipulations of Versailles and Locarno were being observed. Yet three weeks earlier on the very day of the conclusion of the Franco-Soviet pact, later to become the official excuse for the reoccupation of the Rhineland, and the defense for it, before this Tribunal, the first directive had been issued to the Service Chiefs. The defendant Jodl having perhaps noted the significance of the date, has sought to persuade the Tribunal that his first admission that "Operation Schulung" referred to the reoccupation of the Rhineland was wrong, and that it applied to some military excursion in the Tyrol. Yet on 26th June, he himself was addressing the Working Committee of the Reich Defense Council on the plans for reoccupation and revealing that weapons, equipment insignia, and field grey uniforms were being stored in the zone under conditions of the greatest secrecy. Can anyone who reads his words doubt that this process had been going on at least for seven weeks? *(EC–405, GB 160)*

Any representative of the innumerable departments who attended that meeting and heard Jodl's remarks on the 26th June 1935 or who subsequently read the minutes, knew what to expect. On 2nd March the final orders were given and passed to the Navy four days later. The defendants Keitel, Jodl, Raeder, Frick, Schacht, and Goering were all involved in the necessary executive action and, if his U-boats complied with the instruction of the 6th March, the defendant Doenitz, as well *(C–159, USA 54; C–194, USA 55)*.

From the beginning, at every stage you see the common plan worked out—and worked out as it could only be if those men each played his allotted part. First the period of apparent quiet, during which treaties are concluded, assurances given and protestations of friendship made while beneath the surface the Auslands organization under Hess and Rosenberg begins to undermine and disrupt. The victim is deceived by open promises and weakened by underhand methods. Next, the decision to attack is taken and military preparations are hastened. If the victim shows signs of suspicion, the assurances of friendship are redoubled.

Meanwhile, the finishing touches are put to the work accomplished by the Fifth Column. Then when all is prepared, what Hitler called "the propagandist cause for starting the war" is chosen, frontier incidents are faked, abuse and threats take place of fair words and everything is done to terrify the victim into submission. Finally, the blow is struck without warning.

The plan varies in detail from case to case, but essentially, it is the same, the perfect example repeated again and again, of treachery, intimidation, and murder.

The next step was Austria. First, the Nazis arranged the murder of Dollfuss in 1934. After the evidence in the case of the defendant Neurath, there can be little doubt as to his assassination being plotted in Berlin and arranged by Habicht and Hitler some six weeks before. The failure of that putsch made it necessary to temporize, and accordingly in May 1935 Hitler gave a complete assurance to Austria. At the same time the defendant Papen was sent to undermine the Austrian government. With the occupation of the Rhineland, Austria was next on the programme but Hitler was still not yet ready, hence the solemn agreement of July 1936. By the autumn of 1937 Papen's reports showed progress and accordingly the plot was divulged at the Hossbach meeting. A slight delay was necessary for the removal of the refractory Army leaders, but in February 1938, Papen having completed his plotting with Seyss-Inquart, Schuschnigg was lured to Berchtesgaden and bullied by Hitler, Ribbentrop, and Keitel. Shortly afterwards, the final scene took place, Goering playing his part in Berlin. The defendants, Goering, Hess, Keitel, Jodl, Raeder, Frick, Schacht, Papen, and Neurath were all aware of this Austrian plot, Neurath and Papen from the very beginning of it *(TC–26, GB 19; TC–22, GB 20; 386–PS, USA 25)*.

With the exception of Goering, each one of them has attempted to put forward a defense of ignorance which cannot be regarded as other than ludicrous in the light of the documents. Not one of them has suggested that he protested, each one of them remained in office thereafter.

Already the plan for Czechoslovakia was ready; it had been discussed at the Hossbach meeting in November 1937; within three weeks of the Munich agreement the directive to prepare the march in had been given and on the 15th of March 1939, President Hacha having been duly bullied by Hitler, Ribbentrop, Goering, and Keitel, Prague was occupied and the Protectorate established by Frick and Neurath. You will remember the astonishing admission of Goering that although he certainly threatened to bomb Prague he never really intended to do it. Ribbentrop also seems to have considered that in diplomacy any lie is permissible.

The stage was now set for Poland. As Jodl explained *(L–172, USA 34):*

> "The solution of the Czech conflict and the annexation of Czechoslovakia rounded off the territory of greater Germany so that it was possible to consider the Polish problem on a basis of more or less favourable strategic promises."

And now the time has come when, to use Hitler's words *(386–PS, USA 25):*

> "Germany must reckon with its two hateful enemies, England and France."

And accordingly followed the policy laid down by Ribbentrop in January, 1938 *(TC–75, GB 28):*

> "the formation in great secrecy but with wholehearted tenacity of a coalition against England."

In the case of Poland, however, the German Foreign Office had already advised Ribbentrop as long ago as a month before Munich in the following terms *(TC–76, GB 31):*

> "It is unavoidable that the German departure from the problems of victories in the southeast and their transfer to the east and northeast must make the Poles sit up. The fact is that after the liquidation of the Czech question it will be generally assumed that Poland will be the next in turn. But the later this assumption sinks in in international politics as a firm factor the better. In this sense, however, it is important for the time being to carry on German policy under the well-known and proved slogans of the right to autonomy and racial unity. Anything else might be interpreted as pure imperialism on our part and create resistance to our plan by the Entante at an earlier date and more energetically than our Forces could stand up to."

In this case, therefore, the usual assurances were reiterated and again and again Hitler and Ribbentrop made the most explicit statements. Meanwhile the usual steps were taken, and following the meeting of the 23rd of May 1939, which Raeder described as an academic lecture on war the final military economic and political preparations for war against Poland were taken and in due time war was commenced; and you get that quotation that you have heard so often, and it ought to be remembered for all times *(L–79, USA 27)*

> "The victor shall not be asked later on whether we were telling the truth or not. In starting and making a war, not the right is what matters, but victory."

Those were Hitler's words, but these men echoed and implemented them at every stage. That was the doctrine underlying Nazi policy. Step by step the conspirators had reached the crucial stage and had launched Germany upon an attempt to dominate Europe and involve the world in untold horror. Not one of these men had turned against the regime. Not one of them except Schacht—to whose vital contribution to the creation of the Nazi monster I shall return later—had resigned and even he continued to lend his name to the Nazi Government *(1014–PS, USA 30)*.

Holland having been overrun, the course of the war soon showed that Germany's military aims and the interests of her strategy would be improved by further aggression. I do not propose to take time now by tracing again the various steps. As Hitler said at the meeting in November 1939 *(789–PS, USA 23)*:

> "* * * Breach of the neutrality of Belgium and Holland is meaningless. No one will question that when we have won we shall not bring about a breach of neutrality as in 1914."

Norway and Denmark were invaded. No kind of excuse, then or now, has been put forward for the occupation of Denmark, but a strenuous attempt has been made in the course of this trial to suggest that Norway was invaded only because the Germans believed that the Allies were about to take a similar step. Even if it were true, it would be no answer, but the German documents completely dispose of the suggestion that it was for such a reason that the Germans violated Norwegian neutrality.

Hitler, Goering, and Raeder had agreed as early as November 1934 that "No war could be carried on if the Navy was not able to safeguard the ore imports from Scandinavia." *(C–190, USA 45)*.

Accordingly, as the European struggle drew near, a Non-Aggression Pact was made with Denmark on 31 May 1939 following the usual assurances to both Norway and Denmark which had already been given a month earlier. At the outbreak of the war a further assurance was made to Norway; followed by another on the 6th October. On the 6th September, 4 days after his assurance, Hitler was discussing with Raeder the Scandinavian problem and his political intentions in regard to the Nordic States, expressed in Admiral Assman's diary as—"a north Germanic community with limited sovereignty in close dependence on Germany." *(TC–24, GB 77; TC–30, GB 78; TC–31, GB 79; TC–32, GB 80).*

On October 9th, three days after his most recent assurance, in his memorandum for the information of Raeder, Goering, and Keitel, Hitler was writing of the great danger of the Allies blocking the exits for U-boats between Norway and the Shetlands and of the consequent importance of "the creation of U-boat strongpoints outside these constricted home bases." Where outside the constricted home bases if not in Norway? *(L–52, USA 540).*

It is significant that the very next day Doenitz submitted a report on the comparative advantages of the different Norwegian bases, having discussed the matter with Raeder some six days before. The strategic advantages were apparent to all these men and the hollowness of the defense that the invasion of Norway was decided upon because it was believed that the Allies were going to invade is completely exposed when you consider the statement in Hitler's memorandum preceding the passage I have just quoted that *(C–5, GB 83; C–122, GB 82):*

> "Provided no completely unforeseen factors appear their neutrality in the future is also to be assured. The continuation of German trade with these countries appears possible even in a war of long duration."

Hitler saw no threat from the Allies at that time.

Rosenberg and Goering's deputy, Koerner, had been in touch with Quisling and Hagelin as early as June and it is clear from Rosenberg's subsequent report that Hitler had been kept fully informed. In December the time for planning had arrived and the decision to prepare for invasion was accordingly taken at a meeting between Hitler and Raeder. It was not long before Keitel and Jodl issued the necessary directives and in due course as necessary Goering, Doenitz, and Ribbentrop were involved *(004–PS, GB 140; C–66, GB 81).*

On the 9th October, as I have already said, Hitler was confident that there would be no danger to the Nordic States from the Allies. All the alleged intelligence reports contain no information which comes within miles of justifying an anticipatory invasion based—you might think it is laughable—on the doctrine of self-preservation. It is true that in February 1940 Raeder pointed out to him that if England occupied Norway the whole Swedish supply of ore to Germany would be endangered but on the 26th March he advised that the Russo-Finnish conflict having ceased, the danger of an Allied landing was no longer considered serious. Nonetheless he went on to suggest that the invasion, for which all the directives had been issued, should take place at the next new moon, on the 7th April. It is interesting to note that Raeder's own war diary signed by himself and his Chief of Staff Operations records a similar opinion four days earlier. If further evidence were needed to show that the actual step was taken regardless of any risk of interference from the West, it is to be found in telegrams from the German Ministers at both Oslo and Stockholm and from the German Military Attache at Stockholm, advising the German Government that, far from being worried over invasion by the British, the Scandinavian Governments were apprehensive that it was the Germans who intended to invade. Perhaps Jodl's comment in his diary for March that Hitler "is still looking for an excuse" with Raeder's lame explanation that this refers to the text of the diplomatic note which would have to be sent and Ribbentrop's assertion that he was informed of the invasion only a day or so before it was to take place are as conclusive as anything else of the dishonesty of this defense. Once again all these men in their different spheres were playing their appointed parts. Notably, of course, Rosenberg, who paved the way, Goering, Raeder, Keitel, Jodl, and Ribbentrop who took the necessary executive action. Not one of them protested: even Fritzsche's only defense is that he was not told until a very late stage when he was as usual required to broadcast. He does not suggest that he protested. Once again, a completely ruthless invasion of two countries was undertaken in breach of every treaty and assurance, solely because it was strategically desirable to have Norwegian bases and to secure Scandinavian ore *(D–843, GB 466; D–844, GB 467; D–845, GB 468).*

And so it went on: Yugoslavia, her fate settled before the war, Greece, and then Soviet Russia. The German Soviet Pact of the 23rd August 1939 paved the way. Complete worthlessness of a Ribbentrop signature is made clear by Hitler's memorandum six weeks later, where he remarked: "The trifling significance of treaties of agreement has been proved on all sides in recent years." *(L–52, USA 540).*

By the 18th of December 1940 it must have become apparent that the German hope of overcoming the resistance of Great

Britain—then and for many months holding the fort of freedom and democracy alone against an enemy never more powerful than at that time—were vain, and so the first directive was issued for an attack in another direction this time—against Soviet Russia. It is indeed true—and it is interesting—that on this occasion a number of the Defendants did make some objection. Little Norway might be violated without protest: there was no danger there. There was happy acquiescence in the rape of the gallant Netherlands and Belgium. But here was an enemy which might perhaps strike fear in the heart of the bully. The Defendants objected, of course, if at all on purely military grounds, although Raeder does say that he was influenced by the moral wrong which breach of the German Soviet treaty would involve. It is for you to say. These moral scruples which ought so properly to have manifested themselves on countless other occasions are only previously recorded when one of his officers wished to marry a lady of doubtful reputation. The truth is that some of these men were beginning to become apprehensive. Great Britain's resistance had already begun to make them think. Was Hitler now taking on another enemy whom he could not defeat? Once the decision was taken, however, everyone of them set to work to play his part with his usual disregard for all laws of morality or even decency *(446–PS, USA 31)*.

In no single case did a declaration of war precede military action. How many thousands of innocent inoffensive men, women, and children, sleeping in their beds in the happy belief that their country was and would remain at peace, were suddenly blown into eternity by death dropped on them without warning from the skies? In what respect does the guilt of any one of these men differ from the common murderer creeping stealthily to do his victim to death in order that he may rob them of their belongings?

In every single case, as the documents make clear, this was the common plan. The attack must be "blitzartig schnell"—without warning—with the speed of lightning: Austria, Czechoslovakia; Poland; Raeder repeating Keitel's directive for "heavy blows struck by surprise": Denmark, Norway, Belgium, Holland, Russia *(386–PS, USA 25)*.

As Hitler had said in the presence of a number of these men *(C–126, GB 45)*:

> "Considerations of right or wrong or treaties do not enter into the matter."

The killing of combatants in war is justifiable, both in International and in Municipal law, only where the war itself is legal. But where a war is illegal, as a war started not only in breach of the Pact of Paris but without any sort of warning or declaration clearly is, there is nothing to justify the killing, and these murders are not to be distinguished from those of any other lawless robber bands.

Everyone of these men knew of these plans at one stage or another in their development. Everyone of these men acquiesced in this technique, knowing full well what it must represent in terms of human life. How can anyone of them now say he was not a party to common murder in its most ruthless form?

Aggressive War: The Legal Position

But I am dealing now not with the murders which alone so well justify the condemnation of these men, but with their crime against Peace. Let me say something about the legal aspect of this matter, for it is one to the firm establishment of which His Majesty's Government the United Kingdom, and indeed all the prosecutors here attach great importance.

The distinguished speech for the defense was free of ambiguity. The effect was that though the Kellogg-Briand Pact and the other international declarations and treaties rendered aggressive war illegal, they did not make it criminal. In support of this contention it was argued that they could not have done so because any such attempt to make aggressive war a crime would be contrary to the sovereignty of states, and that, in any event, the entire system of prohibition of war had collapsed before the outbreak of the Second World War and therefore ceased to be law. It was further argued that these treaties were not taken seriously by numerous jurists and journalists whose opinions were cited and were not really entitled to be treated seriously because they contained no provision for coping with the problem of the peaceful change of the status quo. With regard to the Pact of Paris itself, counsel contended that there could be no question of a criminal—or even unlawful—breach of that Pact of Paris because it left to each State including Germany, the right to determine whether it was entitled to go to war in self-defense. Finally it was suggested that the State could not become the subject of criminal responsibility and that, if that proposition were not admitted, the crime was one of the German State and not of individual members of it, because in the German State which launched that war upon the world there were no individual wills but only one sovereign, uncontrolled and final will—that of the Dictator Fuehrer.

It might be enough for me to say that this entire line of arguments is beside the point and cannot be heard in this Court since it is in contradiction to the Charter. For the Charter lays down expressly that the planning, and I emphasize the word "planning", preparation, initiation, or waging of a war of aggression or of a war in violation of international treaties, agreements, or assurances shall be considered crimes coming within the jurisdiction of the Tribunal. It would appear, therefore, that the only way in which the accused can escape liability is to show to the satisfaction of the Tribunal that these wars were not wars of aggression or in violation of treaties. They have not done that. That being so one asks what is the purpose of the argument which has been advanced in their behalf. Is it to deny the jurisdiction of this Tribunal in this matter? Or what is more probable, is it a political appeal to some outside audience which may be more easily impressed by the complaint that the accused are being made the object of post factum legislation?

Whatever its object, it is important that the argument should not go unchallenged. I am anxious not to take up time by repeating what I said in my opening statement on the change effected in the position of war in international law as the result of the long series of treaties, in particular the General Treaty for the Renunciation of War. I have submitted that that Treaty, one of the most generally signed international treaties, established a rule of international law with a solemnity and clarity which is often lacking in customary international law; that the profound change which it produced—and this is important—(although indeed the distinction between just and unjust wars had been recognized in mediaeval times) was reflected in weighty pronouncements of governments and statesmen; I submit that it rendered illegal recourse to war in violation of the Treaty; and that there is no difference between illegality and criminality in a breach of law involving the deaths of millions and a direct attack on the very foundations of civilized life. Nor do I propose to take time by answering in detail the strange chain of legal argument put forward by the defense such as that the Treaty had no effect attributed to it by its signatories on the ground that it was received in some quarters with disbelief or cynicism.

Even more curious to ordinary legal thinking is the reasoning that in any case that Treaty—and the other Treaties and assurances which followed it—had ceased to be legally binding by 1939 because by that time the entire system of collective security had collapsed. The fact that the United States declared its neutrality in 1939 was cited as an example of the collapse of the system as if the United States had been under any legal obligation to act otherwise. But what is the relevance of the fact that the system devised to enforce these treaties and to prevent and to penalize criminal recourse to war failed to work? Did the aggressions of Japan and Italy and the other States involved in the Axis conspiracy, followed by the German aggressions, against Austria and

Czechoslovakia, deprive these obligations of their binding effect simply because those crimes achieved a temporary success? Since when has the civilized world accepted the principle that the temporary impunity of the criminal not only deprives the law of its binding force but legalizes his crime?

And you will notice, incidentally, that in the case both of the Japanese and Italian aggressions, the Council and the Assembly of the League of Nations denounced these acts as violations both of the Covenant and of the General Treaty for the Renunciation of War and that in both cases sanctions were decreed. It may be that the policemen did not act as effectively as one could have wished them to act. But that was a failure of the policemen, not of the law.

But not content with the remarkable suggestion that by their very aggressions, because of the reluctance of the peace loving States to take arms against the blackmail and the bullying which was directed against them, the aggressors had abrogated the law against aggression, the Defendants have introduced some question of self-defense. They have not indeed, really suggested that these wars were defensive wars. Not even Goebbels in his wildest extravagances went quite so far as that. It appears that what they seek to say is not that their wars were wars in self-defense, but that since the Pact of Paris not only left intact the right of States to defend themselves but also the sovereign right of each State to determine whether recourse to war in self-defense was justified in the circumstances, it did not in fact contain any legal obligation at all. That is a wholly fallacious argument. It is true that in the declarations preceding and accompanying the signature and the ratification of the Pact of Paris, self-defense was not only recognized as an inherent and inalienable right of the parties to the Treaty, but its signatories reserved for themselves the exclusive right of judging whether circumstances called for the exercise of that right.

The question is whether this reservation of self-defense destroyed the purpose and the legal value of the Treaty? If Germany was entitled to have recourse to war in self-defense and if she was free to determine in what circumstances she was permitted to exercise the right of self-defense, can she ever be considered to have violated the solemn obligation of the Treaty? That question Counsel for the Defense sought to answer in the negative. But that answer amounts to an assertion that that solemn Treaty subscribed to by more than sixty nations is a scrap of paper devoid of any meaning at all, and it would result in this —that every prohibition or limitation of the right of war is a nullity if it expressly provides for the right of self-defense, and

I invite the Tribunal emphatically to consign that parody of legal reasoning to where it properly belongs.

Neither the Pact of Paris nor any other treaty was intended to —or could—take away the right of self-defense. Nor did it deprive its signatories of the right to determine, in the first instance, whether there was danger in delay and whether immediate action to defend themselvs was imperative; and that only is the meaning of the express proviso that each State judges whether action in self-defense is necessary. But that does not mean that the State thus acting is the ultimate judge of the propriety and of the legality of its conduct. It acts at its peril. Just as the individual is answerable for the exercise of his common law right of defense, so the State is answerable if it abuses its discretion, if it transforms "self-defense" into an instrument of conquest and lawlessness, if it twists the natural right of self-defense into a weapon of predatory aggrandizement and lust. The ultimate decision as to the lawfulness of action claimed to be taken in self-defense does not lie with the State concerned, and for that reason, the right of self-defense, whether expressly reserved or implied, does not impair the capacity of a treaty to create legal obligations against war.

Under the Covenant of the League, Japan was entitled to decide in the first instance, whether events in Manchuria justified resort to force in self-defense. But it was left to an impartial body of inquiry to find, as it did find, that there was in fact no justification for action in self-defense, and to mention a more recent example, Article 51 of the Charter of the United Nations lays down that nothing in the Charter shall impair the inherent right of individual or collective self-defense in case of armed attack. But it expressly leaves to the Security Council the power of ultimate action and determination. It is to be hoped that the judgment of this Tribunal will discourage, and discourage with appropriate finality, any future reliance on the argument that because a treaty reserved for the signatories the right of action in self-defense, it becomes, for that reason, incapable of imposing upon the signatories any effective legal obligation against war.

Sovereignty and the State

I will now turn to the argument that the notion of criminal responsibility is incompatible with the idea of national sovereignty. A state may, and Professor Jahrreiss conceded, commit an offense against International Law, but he contends that to make it criminally responsible and punishable would be to deny the sovereignty of the State.

It is strange to see the accused, who, in their capacity as the

German Government overran most of the States of Europe, who trampled brutally upon their sovereign independence, and who, with boastful and swaggering cynicism, made the sovereignty of the conquered States subservient to the new conception of the "Grossraumsordnung"—it is strange to see these defendants appealing to the mystic virtues of the sanctity of State sovereignty, and perhaps it is not less remarkable to find them invoking orthodox international law to protect the defeated German State and its rulers from just punishment at the hands of the victorious Powers. But there is no rule of international law which they can call in aid to this regard.

In a sense these proceedings are not concerned with punishing the German State. They are concerned with the punishment of individuals. But it might seem strange if individuals were criminally responsible for the acts of the State if such acts by the State were not themselves crimes. There is no substance at all in the view that international law rules out the criminal responsibility of States and that, since, because of their sovereignty, States cannot be coerced, all their acts are legal. Legal purists may contend that nothing is law which is not imposed from above by a sovereign body having the power to compel obedience. That idea of the analytical jurists has never been applicable to international law. If it had, the undoubted obligation of States in matters of contract and tort could not exist.

It may be true that in international relationships prior to the war, there was no super sovereign body which at the same time imposed international laws and enforced them. But, at least in the international field, the existence of law has never been dependent on the existence of a correlated sanction external to the law itself. International Law has always been based on the element of common consent and where you have a body of rules which, whether by common consent or treaty are obligatory upon the members of the international community these rules are the laws of that community although the consent has not been obtained by force, and although there may be no direct or external sanction to secure obedience. The fact is, that absolute sovereignty in the old sense is, very fortunately, a thing of the past. It is a conception which is quite inconsistent with the binding force of any international treaty.

In the course of the work of the Permanent Court of International Justice, it became a stock argument to rely on State sovereignty in support of the opinion that, as States are sovereign, treaty obligations entered into by them ought to be at least interpreted restrictively. The Court consistently discouraged that view. In its very first judgment—a judgment given against Germany in the Wimbledon case—it rejected the plea of sovereignty as a reason for the restrictive interpretation of obligations in treaties. The Court declined to see in a treaty, by which a State undertook to observe a definite line of conduct, an abandonment of its sovereignty and the Court reminded Germany that the very right to enter into international agreement is an attribute of State sovereignty. As a philosophical proposition the right to contract and the right to freedom of action do present an eternal antimony. But just as individuals secure freedom by adherence to laws, so may sovereign States maintain their own individual status; the view that since States are sovereign they cannot be coerced, has long since been abandoned. The Covenant of the League of Nations made provision, in Article 16, for sanctions against sovereign States—sanctions being only another name for coercion, probably coercion of a punitive character. The Charter of the United Nations has followed suit—much more decisively. It is true that, because of the absence of a competent compulsory jurisdiction, there is no judicial precedent for States being arraigned before a Criminal Tribunal. But that is equally true of the undoubted civil responsibilities of States, for apart from treaty there is no compulsory jurisdiction in any international tribunal to adjudicate upon them.

The first man tried for murder may have complained that no Court had tried such a case before. The methods of procedure, the specific punishments, the appropriate Courts can always be defined by subsequent proclamation. The only innovation which this Charter has introduced is to provide machinery, long overdue, to carry out the existing law, and there is no substance in the complaint that the Charter is a piece of post factum legislation either in declaring wars of aggression to be criminal, or in assuming that the State is not immune from criminal responsibility.

But then it is argued, even if the State is liable, it is only the State and not the individual who can be made responsible under international law. That argument is put in several ways. States only, it is said, and not individuals, are the subject of international law. But there is no such principle of international law. One need only mention the case of Piracy or Breach of Blockade, or the case of Spies to see that there are numerous examples of duties being imposed by International Law directly upon individuals. War Crimes have always been recognized as bringing individuals within the scope of International Law. In England and the United States our Courts have invariably acted on the view that the accepted customary rules of the Law of Nations are binding upon the subject and the citizen, and the position is essentially the same in most countries. In Germany itself, Article 4 of the Weimar constitution laid it down that generally recognized rules of international law must be regarded as an integral part of German Federal Law and what can it mean in effect, save that the rules of international law are binding upon individuals? Shall we depart from that principle merely because we are here concerned with the gravest offense of all—crimes against the peace of Nations and crimes against humanity. The law is a living, growing thing. In no other sphere is it more necessary to affirm that the rights and duties of States are the rights and duties of men and that unless they bind individuals they bind no one. It is a startling proposition that those who aid and abet, who counsel and procure the commission of a crime are themselves immune from responsibility. The international crime does not differ from the municipal offense in this respect.

The argument is then put in another way. Where the act concerned is an act of State those who carry it out as the instruments of the State are not personally responsible and they are entitled, it is claimed, to shelter themselves behind the sovereignty of the State. It is not suggested of course that this argument has any application to war crimes and as we submit each of these men to be guilty of countless war crimes it might be enough to brush the matter aside as academic. But that course perhaps would diminish the value which these proceedings will have on the subsequent development of international law. Now it is true that there is a series of decisions in which Courts have affirmed that one State has no authority over another sovereign State or over its Head or Representative. Those decisions have been based on the precepts of the comity of nations and of peaceful and smooth international intercourse: they do not in truth depend upon any sacrosanctity of foreign sovereignty except in so far as the recognition of sovereignty in itself promotes international relations. They really afford no authority for the proposition that those who constitute the organs, those who are behind the State, are entitled to rely on the metaphysical entity which they create and control when, by their directions that State sets out to destroy that very comity on which the rules of international law depends. Suppose a State were to send a body of persons into the territory of another State with instructions to murder and to rob. Would those persons carrying out these orders be immune because in the fulfillment of their criminal design they were acting as the organs of another State? Suppose the individuals who had ordered the predatory expedition were to fall into the hands of the State attacked—could they plead immunity? In my submission clearly not. Yet the case put is exactly the case which occurred here. The truth is that this attempt to clothe crime with impunity because the motive was political rather than personal invokes no principle of law but is based on arbitrary political doctrines more appropriate to the sphere of power politics than to that in which the rule of law prevails.

And finally it is said that these wretched men were powerless instruments in Hitler's hands, ordered to do that which reluctantly, or so they say, they did. The defense of superior orders is excluded by the Charter although Article 8 provides that it may in appropriate cases be considered in mitigation of punishment, if the Tribunal thinks that justice so requires. But the Charter no more than declares the law. There is no rule of International Law which provides immunity for those who obey orders which—whether legal or not in the country where they are issued—are manifestly contrary to the very law of nature from which international law has grown. If international law is to be applied at all, it must be superior to municipal law in this respect, that it must consider the legality of what is done by international and not by municipal tests. By every test of international law, of common conscience, of elementary humanity, these orders—if indeed it was in obedience to orders that these men acted—were illegal. Are they then to be excused?

The dictatorship behind which these men seek to shelter was of their own creation. In the desire to secure power and position for themselves they built up the system under which they received their orders. The continuance of that system depended on their continued support. Even if it were true that—as Jodl suggested—these men might have been dismissed, perhaps imprisoned, had they disobeyed the orders which were given, would not any fate have been better than that they should have lent themselves to these things. But it was not true. These were the men in the inner councils, the men who planned as well as carried out; of all people the ones who might have advised, restrained, halted Hitler instead of encouraging him in his satanic courses. The principle of collective responsibility of the members of a government is not an artificial doctrine of constitutional law. It is an essential protection of the rights of man and the community of nations; international law is fully entitled to protect its own existence by giving effect to it.

Let me now pass to Counts 3 and 4 of the Indictment, the Counts dealing with war crimes and what we have described as in fact they are, as crimes against humanity.

War Crimes: The Legal Position

And as to these, may I first make some comment on the legal position. About the law as to war crimes, little indeed need be said, because the law is clear enough and not in doubt. Here are crimes more terrible indeed in their extent than anything which had hitherto been known, but none the less well recognizable under the preexisting rules of International Law and clearly within the legitimate jurisdiction either of a National or of an International Tribunal. There is no element of retroactivity here, no question of post factum law making, nor is there any shadow of novelty in the decision of the Charter that those who shared the ultimate responsibility for these frightful deeds should bear individual responsibility. It is true that the lawyers and the statesmen who at The Hague and elsewhere in days gone by built up the code of rules, and the established customs by which the world has sought to mitigate the brutality of war and to protect from its most extreme harshness those who were passive noncombatants, never dreamed of such wholesale and widespread slaughter. But murder does not cease to be murder merely because the victims are multiplied ten million fold. Crimes do not cease to be criminal because they have a political motive. These crimes were many and manifold. It is not useful to catalogue them here. They vary most considerably in the numbers of victims. There are the fifty murdered prisoners of war who escaped from Stalag Luft III; the hundreds of Commandos and Airmen who were exterminated; there are the thousands of civilian hostages put to death; the tens of thousands of sailors and passengers who perished in a piratical campaign of terror; there are the hundreds of thousands of prisoners of war, especially Russians, and of civilians who met their death because of the rigors and cruelties to which they were exposed, if not by outright murder, and there are the many millions murdered outright, or by the slower method of deliberate starvation, six millions of them for no better reason than that they were of Jewish race or faith.

The mere number of victims is not the real criterion of the criminality of an act. The majesty of death, the compassion for the innocent, the horror and detestation of the ignominy inflicted upon man—man created in the image of God—these are not the subjects of mathematical calculation. None the less, somehow, numbers are relevant. For we are not dealing here with the occasional atrocities which are perhaps an incident in any war. It may be that war develops the good things in man; it certainly brings out the worst. It is not a game of cricket. In any war, in this war no doubt there have been—and no doubt on both sides—numbers of brutalities and atrocities. They must have seemed terrible enough to those against whom they were committed. I do not excuse or belittle them. But they were casual, unorganized individual acts. We are dealing here with something entirely different. With systematic, wholesale, consistent action, taken as a matter of deliberate calculation—calculation of the highest level. And so the principal war crime in extent as in intensity with which these men are charged is the violation of the firmly established and least controversial of all the rules of warfare, namely, that noncombatants must not be made the direct object of hostile operations. What a mockery the Germans sought to make of the IV Hague Convention on the laws and customs of war—Convention which merely formulated what was already a fundamental rule:

> "Family honor and rights, the lives of persons and private property, as well as religious convictions and practices, must be respected."

The murdering on the orders of the German Government whose members are here in the Dock, in the territory occupied by its military forces of millions of civilians, whether it was done in pursuance of a policy of racial extermination, as the result of or in connection with the deportation of slave labor, in consequence of the desire to do away with the intellectual and political leaders of the countries which had been occupied or was part of the general application terror through collective reprisals upon the innocent population and upon hostages—this murdering of millions of noncombatants is a war crime. It may indeed be a crime against humanity as well. Both imagination and intellect, shattered by the horror of these things, recoil from putting the greatest crime in history into the cold formula already described in the text books as a war crime. Yet it is important to remember that that is what these crimes were. Irrespective, in the main of where they were committed or of the race or nationality of the victims, these were offenses upon the civilian population, contrary to the laws of war in general and to those of belligerent occupation in particular. The truth is that murder, wholesale, planned and systematic became part and parcel of a firmly entrenched and apparently secure belligerent occupation. That that was a war crime no one has sought to dispute.

But some attempt has been made to canvass the illegality of three other classes of action with which also these men stand charged. Deportation to Germany for forced labor, the crimes at sea in connection with submarine warfare, and the shooting of Commandos. And let me shortly examine these matters.

Deportation

The deportation of the civilian population for forced labor is, of course, a crime both according to international custom and to conventional international law as expressed in the Hague Convention. Article 46 of Hague Convention No. IV enjoins the occupying powers to respect "family honor and rights" and "the lives of persons." Article 52 of the same Convention lays down that "services shall not be demanded from municipalities or inhabitants except for the needs of the army of occupation" and that "they shall be in proportion to the resources of the country and of such a nature as not to involve the population in the obligation of taking part in the operations of war against the country." With these simple and categorical provisions we have to contrast the staggering dimensions of the operation which the defendant Sauckel directed and in which other defendants participated, the ruthlessness with which peaceful citizens were torn from their families, surroundings and employment, the manner in which they were transported, the treatment which they received on arrival, the conditions in which they worked and died in thousands and tens of thousands, and the kind of work which they were compelled to perform as direct helpers in the production of arms, munitions, and other instruments of war against their own country, and against their own people. How can all that be reconciled with the law?

It seems to have been suggested that the prohibition of the Law of Nations had in some way become obsolete in the face of the modern development of totalitarian war requiring the vastest possible use and exploitation of the material and labor resources of the occupied territory. I confess I do not understand how the extent of the activities a belligerent imposes on himself, the size of the effort he needs to make in order to avoid defeat, can enlarge his rights against peaceful noncombatants or enable him to brush aside the rules of war. We cannot make these post factum repeals of accepted International Law in favour of the law breakers.

Sea Warfare

Now is there a shadow of a right to invoke any material change in conditions as a justification for their crimes at sea — crimes which cost the lives of thirty thousand British seamen alone. We need not base our case here solely on the mere violation of the customary rules of warfare as embodied in the London Protocols of 1930 and 1936, fully subscribed to as they were by Germany and prohibiting sinking without warning, or even with warning if proper provision had not been made for the safety of passengers and crew. We need not concern ourselves with the niceties of argument whether the practice of arming merchantmen affects the position.

Nor need we take time to examine the astonishing proposition that the sinking of neutral shipping was legalized by the process of making a paper order excluding such ships not from some definite war zone over which Germany exercised control but from vast areas of the seven seas. For there is one matter at least about which nobody questions the law.

If you are satisfied that orders were given that survivors should not be rescued, that steps should be taken to prevent the shipwrecked from surviving, for the use of such weapons that there could be no question of survivors, you will have no doubt that what was done was contrary to law. It is no answer that to allow noncombatants to survive entailed greater risk to the attackers. The murderer is not excused because he says that it was necessary to kill the victim he had violated lest he should subsequently identify him.

So also in regard to the orders for the execution of Commandos. New methods of warfare, new forms of attack, do not in themselves repeal existing established rules of law. The sanctity of the life of the soldier in uniform, who surrenders after the accomplishment of his mission and who committed no war crime prior to his capture, is and I ask you to say, must remain an absolute principle of International Law. Those who, for whatever motive, trample upon it in disregard of law, in disregard of humanity, in disregard of chivalry, must pay the penalty when at last the law is vindicated.

I shall not examine this matter further or detail the other types of war crimes charged in the Indictment. For that these matters, various in their kind or method, were crimes under established law is not in doubt. The Tribunal will be concerned only to affirm the law and to decide upon the measure of these Prisoners involvement in its breach.

Crimes Against Humanity: The Legal Position

Let me, however, before I turn to questions of fact refer to the Fourth Count of the Indictment, the crimes against humanity. It is convenient, I think, to deal with these matters together for, insofar as they were committed during the war, to some extent they overlap and in any case they are interconnected. The war crimes were in their very enormity crimes against humanity. The crimes against humanity were writ larger still. Moreover, the crimes against humanity with which this Tribunal has jurisdiction to deal are limited to this extent — they must be crimes the commission of which was in some way connected with, in anticipation of or in furtherance of the crimes against the peace or the war crimes stricto sensu with which the Defendants are indicted. That is the qualification which Article 6 (c) of the Charter introduces. The considerations which apply here are, however, different to those affecting the other classes of offense, the crime against Peace or the ordinary war crime. You have to be satisfied not only that what was done was a crime against humanity but also that it was not purely a domestic matter but that directly or indirectly it was associated with crimes against other nations or other nationals, in that, for instance, it was undertaken in order to strengthen the Nazi Party in carrying out its policy of domination by aggression, or to remove elements such as political opponents, the aged, the Jews, the existence of which would have hindered the carrying out of the total war policy.

Pursuing that for a moment the racial policy against the Jews was as I have said simply one facet of the Herrenvolk doctrine. In "Mein Kampf," Hitler had said that the most decisive factor in the German collapse in 1918 was "the failure to recognize * * * the racial problem and the Jewish menace." The attack on the Jews was at once a secret weapon — an enduring fifth column weapon — to split and weaken the democracies and a device for unifying the Germany people for war. Himmler made it clear in his speech on October 4, 1943, that the treatment meted out to German Jews was closely connected with the war policy. He said:

> "For we know how difficult we should have made it for ourselves if * * * we still had Jews today in every town as secret saboteurs, agitators, and trouble mongers."

So the crime against the Jews, insofar as it is a crime against humanity and not a war crime, is one which we indict because of its association with the crime against the peace. That it is of course a very important qualification, and is not always appreciated by these who have questioned the exercise of this jurisdiction. But subject to that qualification we have thought it right to deal with matters which the criminal law of all countries would normally stigmatize as crimes: Murder, extermination, enslavement, persecution on political, racial or economic grounds. These things done against belligerent nationals, or for that matter, done against German nationals in belligerent occupied territory would be ordinary war crimes the prosecution of which would form no novelty. Done against others they would be crimes against municipal law except insofar as German law, departing from all the canons of civilized procedure, may have authorized them to be done by the State or by persons acting on behalf of the State. Although so to do does not in any way place those Defendants in greater jeopardy than they would otherwise be, the nations adhering to the Charter of this Tribunal have felt it proper and necessary in the interest of civilization to say that those things even if done in accordance with the laws of the German State, as created and ruled by these men and their ringleader, were, when committed with the intention of affecting the international community — that is in connection with the other crimes charged — not mere matters of domestic concern but crimes against the law of Nations. I do not minimize the significance for the future of the political and jurisprudential doctrine which is here implied. Normally international law concedes that it is for the State to decide how it shall treat its own nationals; it is a matter of domestic jurisdiction. And although the Social and Economic Council of the United Nations Organization is seeking to formulate a charter of the Rights of Man the Covenant of the League of Nations and the Charter of the United Nations Organization does recognize that general position. Yet International Law has in the past made some claim that there is a limit to the omnipotence of the State and that the individual human being, the ultimate unit of all law, is not disentitled to the protection of mankind when the State tramples upon his rights in a manner which outrages the conscience of mankind. Grotius, the founder of International Law, had some notion of that principle when — at a time when the distinction between the just and the unjust war was more clearly accepted than was the case in the 19th century — he described as just a war undertaken for the purpose of defending the subjects of a foreign state from injuries inflicted by their ruler. He affirmed, with reference to atrocities committed by tyrants against their subjects, that intervention is justified for "the right of social connection is not cut off in such a case." The same idea was expressed by John Westlake, the most distinguished of British International Lawyers, when he said:

> "It is idle to argue in such cases that the duty of neighboring peoples is to look quietly on. Laws are made for men and not creatures of the imagination and they must not create or tolerate for them situations which are beyond endurance."

The same view was acted upon by the European Powers which in time past intervened in order to protect the Christian subjects of Turkey against cruel persecution. The fact is that the right of humanitarian intervention by war is not a novelty in International Law — can intervention by judicial process then be illegal? The Charter of this Tribunal embodies a beneficent principle — much more limited than some would like it to be — and it gives warning for the future to dictators and tyrants masquerading as a State that if, in order to strengthen or further their crimes against the community of nations they debase the sanctity of man in their own country they act at their peril for they affront the international law of mankind.

As for the criticism which is made of retroactive law, that it makes that criminal which men did not know to be wrong when they committed it — what application can that have here? You will not disregard it even if these defendants time after time disregard it, the countless warnings that were given by foreign states and foreign statesmen on the counts which was being pursued by Germany before the War. No doubt these men counted on victory and little thought that they would be brought to account. But can any one of them be heard to say that if he knew about these things at all he did not know them to be wrongs crying out to High Heaven for vengeance?

Facts: Treatment of Prisoners of War

Let me deal with what they did to prisoners of war, for this alone, the clearest crime of all, demands their conviction and will for all time stain the record of German arms.

On the 8th of September 1941, final regulations for the treatment of Soviet prisoners of war in all prisoner of war camps were issued signed by General Reinecke, the head of the Prisoners of War Department of the High Command. They were the result of agreement with the SS and read as follows *(1519–PS, GB 525):*

> "The Bolshevist soldier has therefore lost all claim to treatment as an honorable opponent in accordance with the Geneva Convention * * * The order for ruthless and energetic action must be given at the slightest indication of insubordination especially in the case of Bolshevist fanatics. Insubordination, active or passive resistance must be broken immediately by force of arms (bayonets, butts and firearms) * * * anyone carrying out the order who does not use his weapons or does so with insufficient energy is punishable * * * prisoners of war attempting escape are to be fired on without previous challenge. No warning shot must ever be fired * * * the use of arms against prisoners of war, is, as a rule, legal * * * camp police must be formed of suitable Soviet prisoners of war in the camp * * * within the wire fence the camp police may be armed with sticks, whips, or other similar weapons to enable them to carry out their duties effectively."

The regulations go on to order the segregation of civilians and politically undesirable prisoners of war taken during the eastern campaign. After prescribing the importance for the armed forces of ridding themselves of all those elements among the prisoners of war which could be considered as the driving forces of Bolshevism, emphasis is placed on the need for special measures, free from bureaucratic administrative influences, and accordingly their transfer to the security police and the SD is given as the way to reach the "appointed goal."

That Keitel, who is directly responsible for this order, was issuing it with full knowledge of its implications is made clear by the memorandum of Admiral Canaris dated 15th September 1941, protesting against it, and correctly stating the legal position, as follows *(EC–338, USSR 356):*

> "The Geneva Convention for the treatment of prisoners of war is not binding in the relationship between Germany and the U.S.S.R. Therefore only the principles of General International Law on the treatment of prisoners of war apply. Since the 18th century these have gradually been established along the lines that war captivity is neither revenge nor punishment but solely protective custody the only purpose of which is to prevent the prisoners of war from further participation in the war. This principle was developed in accordance with the view held by all armies that it is contrary to military tradition to kill or injure helpless people * * * The decrees for the treatment of Soviet prisoners of war enclosed are based on a fundamentally different viewpoint."

Canaris went on to point out the shocking nature of the orders for use of arms by guards and for equipping the camp police with clubs and whips. On this memorandum, as you were reminded this morning, Keitel noted:

> "The objections arise from the military concept of chivalrous warfare. This is the destruction of an ideology. Therefore I approve and back the measures. K."

Any possible doubt that Keitel knew that transfer to the Security Police and SD was intended to mean liquidation can hardly survive study of that document. Canaris writes of the screening, as it is called, of the undesirables:

> "the decision over their fate is effected by the action detachments of the Security Police and the SD"

on which Keitel, underlining Security Police, comments "very efficient" whilst on the further criticism by Canaris that the principles of their decision are unknown to the Wehrmacht authorities, Keitel comments "not at all."

The parallel instruction to the Security Police and SD recites the agreement with the High Command and after enjoining the closest cooperation between the members of the Police teams and the Commandants of the Camp and listing those to be handed over, it reads *(502–PS, USA 486)*:

> "Executions must not be held in the camp. If the camps in the Government General are located in the immediate vicinity of the border the prisoners are to be taken if at all possible to former Soviet-Russian territory for special treatment."

It is not necessary to remind you of the volume of evidence with regard to the numbers of Soviet and Polish prisoners in concentration camps. Their treatment needs no further reminder than the report by the Commandant of Gross Rosen Concentration

Camp who on the 23rd October 1941, reports the shooting of twenty Russian prisoners between five and six o'clock that day and Mueller's circular from the same file, which states *(1165–PS, USA 244)*:

> "The commandants of the concentration camps are complaining that five to ten percent of the Soviet Russians destined for execution are arriving in the camps dead or half dead. Therefore the impression has arisen that the Stalags are getting rid of such prisoners in this way.
>
> "It was particularly noted that, when marching, for example from the railroad station to the camp, a rather large number of PWs collapsed on the way from exhaustion, either dead or half dead, and had to be picked up by a truck following the convoy.
>
> "It cannot be prevented that the German people take notice of these occurrences."

Did any of these defendants take notice of these occurrences that could not be hidden from the German people?

I go on:

> "Even if the transportation to the camps is generally taken care of by the Wehrmacht, the population will still attribute this situation to the SS.
>
> "In order to prevent, if possible, similar occurrences in the future, I therefore order that, effective from today on, Soviet Russians declared definitely suspect and obviously marked by death (for example with typhus) and who therefore would not be able to withstand the exertions of even a short march on foot, shall in the future, as a matter of basic principle, be excluded from the transport into the concentration camps for execution.
>
> "I request that the leaders of the Einsatz Kommandos be correspondingly informed of this decision without delay."

On the 2nd March 1944, the Chief of the SIPO and SD forwarded to his various branch offices a further order of the OKW for the treatment of prisoners recaptured after attempted escape. With the exception of British and Americans, who were to be returned to the camps, the others were to be sent to Mauthausen and to be dealt with under operation "Kugel" which, as the Tribunal will remember, involved immediate shooting. Inquiries by relatives, other prisoners, the Protecting Power, and the International Red Cross were to be dealt with in such a way that the fate of those men, soldiers whose only crime had been to do their duty, should be forever hidden *(L–158, USA 514; 1650–PS, USA 246)*.

It was shortly after the issue of the "Kugel" order that 80 British officers of the R.A.F. made an attempt to escape from Stalag Luft III at Sagan. The defendants directly connected with this matter have not denied that the shooting of 50 of these officers was deliberate murder and were the result of a decision at the highest level. There can be no question that Goering, Keitel, and probably Ribbentrop participated in this decision and that Jodl and Kaltenbrunner and, if he did not actually participate, Ribbentrop, were all aware of it at the time.

Goering's participation is a matter of inevitable inference from the following three facts:

First: The order was given by Hitler.

Second: Westhoff of the Prisoner of War Organization of the OKW says he was informed by Keitel that Goering had blamed him for the escape at the meeting at which the order was decided upon. *(UK–48, USSR 413.)*

Third: In Goering's own Ministry which was responsible for the treatment of R.A.F. prisoners of war, Walde heard of the order on the 28th March at the meeting of executives and told General Grosch. Grosch informed Foerster, who went straight to Milch, Goering's Chief of Staff, and returned to inform Grosch that Milch had been told, and had made the necessary notes *(D–731, GB 278.)*

You will say whether you do not consider the denials of Goering and Milch to be mere perjury.

Keitel admits that Hitler ordered transfer to the SD and that he "was afraid" they might be shot. He told his officers Graevenitz and Westhoff:

> "We must set an example. They will be shot—probably some have been shot already."

and when Graevenitz protested, he replied:

> "I don't care a damn."

On this evidence of his own officers, surely his complicity is clear in this matter.

Jodl said that when Himmler was reporting the escape, he was in the next room telephoning, he heard a very loud discussion and on going to the curtain to hear what it was, he learned that there had been an escape from Sagan. It is incredible in these circumstances that even if he did not take part in the decision he did not at any rate know of it from Keitel immediately after the meeting. And knowing of it, he carried on playing his part in the conspiracy.

As to Kaltenbrunner's guilt the meeting at which Walde was informed of the decision was with Mueller and Nebe, Kaltenbrunner's subordinates. Schellenberg's evidence of the discussion between Nebe, Mueller and Kaltenbrunner about this time on the subject of an International Red Cross enquiry about 50 English or American prisoners of war is conclusive. He heard Kaltenbrunner providing his subordinates with the answer to be given to this inconvenient enquiry and one cannot doubt his full knowledge of this matter. The reply sent to the Protecting Power and the International Red Cross by Ribbentrop is now admitted on all hands to have been a pack of lies. Is it to be believed that he also was not a party to the decision? *(D–731, GB 278).*

That any of these men would have been prepared to take such a decision themselves or to comply with it if taken by Hitler is, we submit, clear from the correspondence providing for the lynching or shooting of what were called terror fliers. These documents show that neither Keitel nor Jodl had any scruples in the matter while both Goering and Ribbentrop agreed to the draft order *(D–777, GB 310; D–783, GB 316; D–784, GB 317).*

You will remember the meetings which preceded that correspondence—first a meeting between Goering, Ribbentrop and Himmler at which it was agreed to modify *(735–PS, GB 151):*

> "the original suggestion made by the Reich Foreign Minister who wished to include every type of terror attack on the German civilian population as justifying action."

and which concluded that

> "lynch law would have to be the rule."

At the subsequent meeting between Warlimont and Kaltenbrunner it was agreed that

> "these aviators who escaped lynch law would in accordance with a procedure to be advised, be handed over to the SD for special treatment."

Finally Keitel's note on the file:

> "I am against legal procedure. It does not work out."

Similar evidence is provided when we consider the attitude taken up in February 1945, when Hitler wished to renounce the Geneva Convention. Doenitz advised that *(C–158, GB 209):*

> "it would be better to carry out measures considered necessary without warning and at all costs to save face with the outside world"—

a decision with which Jodl and Ribbentrop's representative agreed. Their defense that this was merely a technical measure and that they did not in fact intend any concrete action, is disposed of by Jodl's memorandum on the whole question *(D–606, GB 492):*

"Just as it was wrong in 1914 that we ourselves solemnly declared war on all the states which for a long time had wanted to wage war against us and through this took the whole guilt of the war on our shoulders before the outside world, and just as it was wrong to admit that the necessary passage through Belgium in 1914 was our own fault, so it would be wrong now to repudiate openly the obligations of International Law which we accepted and thereby to stand again as the guilty party before the whole world."

After this remarkable statement he added that there was nothing to prevent them in fact from sinking an English hospital ship as a reprisal and then expressing regret that it was a mistake.

It remains to consider the question of employment of prisoners of war. Under Article 31 of the Geneva Convention it might have been permissible to employ prisoners on certain work in connection with the raw materials of the armament industry. But the statement made by Milch at the Central Planning Board on the 16th of February 1943 in the presence of Speer and Sauckel had no legal justification at all *(R–124, USA 179):*

"We have made a request for an order that a certain percentage of men in the Ack-Ack artillery must be Russians. 50,000 will be taken altogether, 30,000 are already employed as gunners. This is an amusing thing that Russians must work the guns."

That was obviously flagrantly illegal. Nobody could have had the faintest doubt about it. The minutes record no protest. It has not been suggested that Goering or any of the others who must have read the minutes and known what was going on, regarded this outrage by the effective head of the German Air Force as in any way unusual.

Himmler's cynical words spoken at Posen on the 4th October 1943 on the subject of the Russian prisoners captured in the early days of the campaign ought again to be put on record for history *(1919–PS, USA 170):*

"At that time we did not value the mass of humanity as we value it today as raw material, as labor. What, after all, thinking in terms of generations is not to be regretted but is now deplorable by reason of the loss of labor is that the prisoners died in tens and hundreds of thousands of exhaustion and hunger."

I turn now to the murder of the Commandos.

The evidence with regard to the Commando Order of 18th October 1942 directly involves Keitel, Jodl, Doenitz, Raeder, Goering and Kaltenbrunner. By article 30 of the Hague Rules *(498–PS, USA 501):*

"A spy taken in the act shall not be punished without previous trial."

Whilst even the regulations printed in the book of every German soldier provide:

"No enemy can be killed who gives up, not even a partisan or a spy. These will be brought to punishment by the Courts."

These men were not spies: they were soldiers in uniform. It is not suggested that any man dealt with under this Order was ever given a trial before he was shot. Legally there can be no answer to the guilt of any of these defendants who passed on or who applied this wicked order, an order which Jodl admitted to be murder and in respect of which Keitel, confessing his shame, admitted its illegality. Raeder admitted that it was an improper order. Even Doenitz stated that now he knew the true facts he no longer regarded it as correct. The only defense put forward have been that the individual in question did not personally carry it out, that they regarded the statement the first paragraph of the order as justifying the action by way of reprisal, that they did their best to minimize its effect and that it was not up to the individual to question the directives of a superior. But no one has seriously disputed that handing over to the SD in the context here meant shooting without a trial.

The answer to these defenses, in so far as the defenses are not purely dishonest, is that the security precautions provided in the order itself were the plainest indication that the facts stated in the first paragraph did not constitute any justification which would bear the light of day. No higher degree of precaution accompanied the Kugel Order, Nacht und Nebel Order, or any other of their brutal orders. That the shackling incident at Dieppe had nothing to do with it appears from Jodl's staff memorandum of the 14th October 1942 which states in terms that the Fuehrer's aim was to prevent the Commando method of waging war by dropping small detachments who did great damage by demolitions, etc., and then surrendered *(1266–PS, GB 486)*.

The cancellation of the order in 1934 is further evidence that those responsible for it recognized their guilt, guilt which was perhaps best summarized by the entry in the War Diary of the Naval War Staff with regard to the shooting of the Commandos taken in uniform at Bordeaux; "Something new in International Law." Yet Raeder and his Chief of Staff were prepared to initial that entry. Kaltenbrunner's knowledge is clearly shown by his letter to the Armed Forces Planning Staff of the 23rd January 1945 referring to it in detail and disputing its application to particular categories *(D–649, GB 208; D–658, GB 229)*.

Other men have already been sentenced to death for execution of this order, men whose only defense was that they obeyed an order from their superiors. I refer to the members of the SD who were executed for the murder of the crew of Motor Torpedo Boat 345 in Norway and General Dostler in Italy. Innumerable instances from their own records have been proved against these defendants. Shall they escape? You will remember the attitude of the Nazi People's Court, in 1944 to the plea of superior orders *(3881–PS, GB 527)*.

The Commando Order cannot compare in wickedness or brutality with the Nacht und Nebel Order (Night and Fog Order) of the 7th December 1941. The Hitler directive signed by Keitel, after prescribing the death penalty for offenses endangering the security or state of readiness of the occupying powers, orders the removal to Germany of offenders, other than those whose execution could be completed in a very short time, under circumstances which would deny any information with regard to their fate. And Keitel's covering letter of the 12th December gives the reason *(L–90, USA 503):*

"Efficient and enduring intimidation can only be achieved either by capital punishment or by measures by which the relatives of the criminals and the population do not know the fate of the criminal. This aim is achieved when the criminal is transferred to Germany."

It is interesting to contrast that statement written when Keitel thought that Germany was winning the war with his evidence before the Tribunal. He said, you will remember:

"Penal servitude would be considered dishonorable by these patriots. By going to Germany they would suffer no dishonor."

This decree was still being enforced in February 1944 when the Commanders of some 18 concentration camps were being reminded of its purpose and how to dispose of the bodies of the "Night and Fog" prisoners without revealing the place of death. The treatment of these prisoners was described by the Norwegian witness, Cappelen, and members of the Tribunal will not have forgotten his account of the transport of between 2500 and 2800 Nacht and Nebel prisoners from one concentration camp to another in 1945 when 1,347 died on the way *(D–569, GB 277):*

"Feeble as we were, we could not walk fast enough and when they took their guns, the line of five, the line just before us—they took their guns and smashed in the heads of all five of them and they said:

'If you don't walk in an intelligent way see what will happen to you.' But at last after six to eight hours we came to a railway station. It was very cold and we had only such striped prison clothes on and bad boots, naturally but we said, 'Oh, we are glad that we have come to a railway station.' It is better to stand in a cow truck than to walk in the middle of winter. It was very cold, ten to twelve degrees I suppose, very cold. There was a long train with open trucks. In Norway we call them sand trucks and we were kicked onto those trucks about 80 on each truck * * * In this truck we sat for about five days without food—cold—without water. When it was snowing we made like this (indicating) just to get some water in the mouth and naturally after a long long time, it seemed to me like years, we came to a place which I afterwards learnt was Dora which is in the neighborhood of Buchenwald. We came there. They kicked us down from the trucks, but many were dead. The man who sat by me, he was dead, but I had no right to get away. I had to sit with a dead man for the last day, and I didn't see the cyphers myself, naturally, but about half of us were dead, getting stiff, and they told that—I heard the cipher afterwards in Dora—that the cipher of dead on our train was 1,347. Well, from Dora I don't remember so much, because I was more or less dead. I have always been a man of good humor and high spirited, to help first and my friends, but I had nearly given up. And then at the end of our sufferings we were rescued and brought to Neuengamme by Hamburg, and when we arrived there were some of my old friends, the student from Norway who had been deported to Germany, other prisoners who came from Sachsenhausen and other camps and the few, comparatively few, Norwegian Night and Fog prisoners who were living in very bad conditions. Many of my friends are still in hospital in Norway, some died after coming home."

In July 1944 a yet more drastic order followed the Night and Fog. On the 30th of that month Hitler issued the Terror and Sabotage decree providing that all acts of violence by non-German civilians in occupied territories should be combatted as acts of terrorism and sabotage. Those not overcome on the spot were to be handed over to the SD, women put to work, only children spared. Within a month Keitel extended the order to cover persons endangering security or war preparedness by any means other than acts of terrorism or sabotage, the usual secrecy requirements were laid down, restricting distribution in writing to a minimum. He then ordered that the Terror and Sabotage decree was to form the subject of regular emphatic instruction to all personnel of the armed forces, SS and Police. It was to be extended to crimes affecting German interests, but not imperilling the security or war preparedness of the occupying power. New regulations could be made by the agreement of particular commanders and higher SS Chiefs. In other words an offense by any person in the occupied territories could be dealt with under this decree *(D–762, GB 298; D–763, GB 300; D–764, GB 299).*

On the 9th September 1944, a meeting was solemnly held between representatives of the High Command and SS to discuss the relationship of the Night and Fog Order to the Terror and

Sabotage decree. It was considered that the Night and Fog order had become superfluous and the meeting went on to consider the transfer of the 24,000 non-German civilians held under it by the SS to the SD. The meeting discussed the problem of certain neutrals who had been "turned into fog" by mistake. The German word "Vernebelt" justifies the statement of the witness Blaha that the special and technical expressions used in concentration camps can only be said in German and cannot really be translated into any other language. It is perhaps superfluous to remind the Tribunal that when the Luftwaffe General in Holland asked for authority to shoot striking railwaymen, since the procedure of handing over to the SD under the decree was too roundabout, Keitel, in a reply, copies of which were sent both to the Admiralty and to the Air Ministry as well as to the principal commanders in occupied territories, agreed at once that if there was any difficulty in handing over to the SD *(D–767, GB 303; D–769, GB 304)*:

> "Other effective measures are to be taken ruthlessly and independently." *(D–770, GB 305)*

In other words, General Christianson could shoot the railwaymen if he thought fit.

It is not easy for anyone who has not had to live in territory occupied by the Germans to realize the suffering and the state of terror and constant apprehension in which the peoples of Europe lived through the long years of subjection. It was Frank, who, writing on the 16th December 1941, said *(USSR–223)*:

> "As a matter of principle we shall have pity only for the German people—and for no one else in the world."

Save that they had no pity even for their own people, how faithfully these men carried out that principle.

I turn now to the attack on the Partisans. If any doubt remained that the German armed forces were directed not by honorable soldiers but by callous murderers, it must be dissolved by the evidence as to the appalling ruthlessness with which it was sought to put down the Partisans. The witness Ohlendorf said that the direction of anti-Partisan warfare was the subject of a written agreement between the German War Office, the High Command, and the SS. As a result of that agreement an Einsatz Group was attached to each Army Group H.Q. and directed the work of the Einsatz Commandos allotted to the group in coordination and agreement with the Military authorities. If confirmation of the Army's support, knowledge and approval were needed, one has only to look at the report of the Einsatz Group A on its activities during the first three months of the campaign against the Soviet Union *(L–180, USA 276)*.

"Our task was to establish hurriedly personal contact with the Commanders of the Armies and with the Commander of the Army of the rear area. It must be stressed from the beginning that cooperation with the armed forces was generally good, in some cases * * * it was very close, almost cordial."

And again, speaking of the difficulty of dealing with the partisans in a particular area,

"After the failure of purely military activities such as the placing of sentries and combing through the newly occupied territories with whole divisions, even the armed forces had to look out for new methods. The Action group undertook to search for new methods. Soon therefore the armed forces adopted the experiences of the security police and their methods of combatting the partisans."

One of these methods is described in the same report in these words: "After a village had been surrounded, all the inhabitants were forcibly shepherded into the main square. The persons suspected on account of confidential information and the other villagers were interrogated and thus it was possible in most cases to find the people who helped the partisans. Those were either shot offhand, or, if further interrogations promised useful information, taken to Headquarters. After the interrogation they were shot. In order to get a deterring effect the houses of those who had helped the partisans were burnt down on several occasions."

And then, after stating that villagers were always threatened with the burning of the whole village, the report adds:

> "The tactics to put terror against terror succeeded marvellously."

The Einsatz Commandos were, as Ohlendorf stated, under Kaltenbrunner's command, but the orders under which they were acting cannot have exceeded in severity those which were issued by Keitel. The Fuehrer order issued by him on 16th December 1942 on the combatting of partisans states *(UK-66, GB 274):*

"If the fight against the partisans in the east as well as in the Balkans is not waged with the most brutal means, we will shortly reach the point when the available forces are insufficient to control this area. It is therefore not only justifiable but it is the duty of the troops to use all means without restriction—even against women and children so long as it ensures success."

Three days later he and Ribbentrop were informing their Italian opposite numbers at breakfast that *(D-735, GB 295):*

"The Fuehrer had declared that the Serbian conspirators were to be turned out and that no gentle methods might be used in doing this."

Keitel interjected:

"Every village in which partisans were found had to be burnt down."

Two months later Ribbentrop was urging the Italian Ambassador in Berlin to greater brutality in dealing with the partisans in Croatia *(D-741, GB 296)*:

"The gangs had to be exterminated and that included men, women and children as their continued existence imperilled the lives of German and Italian men, women and children."

Goering appears to have assisted Himmler in recruiting the necessary personnel for anti-partisan work and he is recorded by a Cabinet Councillor on the 24th of September 1942 as stating that he was looking for daring fellows for employment in the East as Special Purpose Units and that he was considering convicts and poachers for the purpose. His idea was *(638-PS, USA 788)*:

"In the regions assigned for their operations these bands, whose first task should be to destroy the communications of the partisan groups, could murder, burn and ravish. In Germany they would once again come under strict supervision."

A month later he gave the Duce a description of Germany's method in combatting the partisans in the following terms *(D-729, GB 281)*:

"To begin with the entire livestock and all foodstuff is taken away from the areas concerned so as to deny the partisans all sources of food. Men and women are taken away to Labor camps, children to children's camps and the villages burnt down * * * Should attacks occur, then the entire male population of villages would be lined up one side and the women on the other side. The women would be told that all men would be shot unless they (the women) indicated which of the men did not belong to the village. In order to save their men the women always pointed out the stranger."

These methods were not confined to the East. They were going on throughout the length and breadth of every occupied territory. Wherever the slightest resistance was offered the German answer was to attempt to stamp it out with the utmost brutality. It would not be difficult to rival the events of Lidice and Oradour sur Glane by a hundred other instances.

One of the most brutal expedients—the taking of hostages was the subject of an order by the German High Command on 16th September 1941. Keitel ordered *(C-148, USA 555)*:

"It should be inferred in every case of resistance to the German occupying forces no matter what the individual circumstances that it is of Communist origin."

"In order to nip these machinations in the bud the most drastic measures should be taken immediately on the first indication so that the authority of the occupying forces may be maintained and further spreading prevented. In this connection it should be remembered that a human life in unsettled countries frequently counts for nothing and a deterrent effect can be attained only by unusual severity. The death penalty for 50 to 100 Communists should generally be regarded in these cases as suitable atonement for one German soldier's life. The way in which sentence is carried out should still further increase the deterrent effect."

We may compare the wording of the Einsatz Commando Report *(L–180, USA 276):*

"In the knowledge that the Russian has been accustomed from old to ruthless measures on the part of the authorities, the most severe measures were applied."

There is no difference in outlook between Keitel and Kaltenbrunner: The German soldier was being ordered to emulate the SS.

A fortnight after issuing that order, Keitel, whose only defense was that he had pressed for 5 to 10 hostages for one German in place of 50 to 100, had had a further idea, and on the 1st October 1941 he suggested that it is advisable that military commanders should always have at their disposal a number of hostages of different political tendencies, Nationalist, democratic-bourgeois, or Communist, adding *(1590–PS, RF 1433):*

"It is important that among them shall be well known leading personalities of members of their families whose names are to be made public. Depending on the membership of the culprit, hostages of the corresponding group are to be shot in case of attacks."

The original document bears the ominous note: "Complied with in France and Belgium."

The effect of these orders throughout the German Army is well seen from three instances of the action taken by a local commander.

In Yugoslavia, a month after Keitel's original order a station commander reported that in revenge for the killing of ten German soldiers and the wounding of another twenty-six, a total of 2,300 people had been shot, 100 for each killed and 50 for each wounded German soldier *(USSR–74)*.

On the 11th July 1944 the Commander of the District of Kovolo in Italy was, in a public poster, threatening to kill 50 men for every member of the German Armed Forces whether military or civilian, who was wounded, and a hundred if a German was killed. In the event of more than one soldier or civilian being killed or wounded, all the men of the district would be shot, the houses set on fire, the women interned, and the cattle confiscated immediately. In June of the same year 560 persons, including 250 men, were reported by Kesselring as having been taken into custody under threat of shooting within 48 hours, some German colonel having been captured by bandits *(UK-66, GB 274; D-39, GB 275)*.

The men directly implicated in these brutalities are Goering, Ribbentrop, Keitel, Jodl, and Kaltenbrunner, but who can doubt that every man in that dock knew of the orders and of the way in which the German Armed Forces were being taught to murder men, women and children, and were doing so throughout the length and breadth of Europe? Raeder, who says he disapproved of this sort of policy in Norway, states that he tried to dissuade Hitler, yet he continued to hold his post and to lend his name to the regime under which these things were being done.

I pass on to matters with which he, and Doenitz were more immediately responsible. The conduct of the war at sea reveals exactly the same pattern of utter disregard for law and for decency. There can seldom have been an occasion when the minds of two naval commanders have been so clearly read from their documents as those of the defendants Raeder and Doenitz that can be read in the present case.

As early as the 3rd September 1939 the German Navy, in a memorandum to the Foreign Office, were seeking agreement to a policy of sinking without warning both enemy and neutral merchant ships in disregard of the London Submarine Rules, their own Prize Ordinance and of International Law. A series of documents during the following six weeks reveals constant pressure on the Foreign Office by Raeder to consent to this policy.

On the 16th October 1939 Raeder produced a memorandum on the intensification of naval war against England. In this document, having proclaimed the "utmost ruthlessness" as necessary and the intention to destroy Britain's fighting spirit within the shortest possible time, Raeder went on to say *(D-857, GB 471)*:

"The principal target is the merchant ship, not only the enemy's but in general every merchant ship which sails the seas in order to supply the enemy's war industry both for imports and exports." *(UK-65, GB 224)*

It is that document which contains the infamous passage:

"It is desirable to base all military measures taken on existing international law; however measures which are considered necessary from a military point of view, provided a decisive success can be expected from them, will have to be carried out even if they are not covered by existing international law. In principle, therefore, any means of war which is effective in breaking enemy resistance should be used on some legal conception, even if this entails the creation of a new code of naval warfare."

In another memorandum on the 30th December he went on to urge further intensification, particularly with regard to neutrals *(C–100, GB 463):*

"Without binding ourselves to any conceptions of warning," and he suggested that as they were going to invade neutral States it really did not matter if they went a little far at sea.

"The intensified measures of the war at sea will in their political effect only play a small part in the general intensification of the war."

You will have noted that these memoranda on the conduct of the war at sea echo the High Command's view on the future war which had been written eighteen months earlier *(L–211, GB 161):*

"The normal rules of war towards neutral nations may be considered to apply only on the basis of whether the operation of these rules will create greater advantages or disadvantages for the warring nations."

Was that a mere coincidence: At all events, such was the pattern laid down by Raeder and followed by Doenitz. From the very first the Naval War Staff never had any intention of observing the laws of war at sea.

The defense that the sinking of Allied merchant ships without warning was justified by Allied measures is as untenable as the suggestion that the sinking at sight of neutral merchant ships was preceded by warning which complied with the requirements of International Law. You have seen the very vague and general warnings given to the neutrals and the memorandum of the Naval War Staff revealing that these were deliberately given in the most general terms because Raeder knew that the action he intended against neutrals was utterly illegal. I need not remind you of the document which suggests that orders should be given by word of mouth and a false entry made in the log book, the very practice followed in the case of the "Athenia," or of the entries in Raeder's own war diary revealing that carefully selected neutrals should be sunk wherever the use of electric torpedoes might enable the Germans to maintain that the ship had really struck a mine. You have confirmation in the bland denials prepared by Raeder to answer the protests of the Norwegian and Greek Governments on the sinking of the "Thomas Walton" and "Garufalia" and the reluctant admission in the case of the "Deptford," all three ships sunk in December 1939 by the same U-boat. Nothing reveals more of the cynicism or opportunism with which Raeder and Doenitz treated International Law than the contrast between their attitude towards the sinking of a Spanish ship in 1940 and that in September 1942. In 1940 Spain did not matter to Germany; in 1942 she did.

Details with regard to the various successive measures taken in the course of putting into effect the policy of sink at sight do not require recapitulation but there are two features of the conduct of naval warfare by these two defendants which I emphasize. First, they continued to put out to the world that they were obeying the London Rules and their own Prize Ordinance. The reason for that appears in Raeder's memorandum of the 30th December 1939 where he says *(C–100, GB 463):*

> "A public announcement of intensified measures for the war at sea must be urgently advised against in order not to burden the Navy again in the eyes of history with the odium of unrestricted U-boat warfare."

And that, you see, is the common plan—the very argument put forward by Jodl and Doenitz in February 1945, in favour of simply breaking the regulations of the Geneva Convention rather than announcing Germany's renunciation of it to the world. And here, once again, is the doctrine of military expediency: If it will pay Germany to break a particular law she is entirely justified in breaking it, provided always it can be done in such a way as to avoid detection and the condemnation of world opinion *(D–606, GB 492).*

It must not be thought that in initiating this policy of sink at sight and in disregarding the rules of the war at sea Raeder was any more drastic than Doenitz. In his defense Doenitz made a great effort to explain away his order of 17th September, 1942. I ask the Tribunal to remember its terms:

> "No attempt of any kind must be made at rescuing members of ships sunk * * *. Rescue runs counter to the rudimentary demands of warfare for the destruction of enemy ships and crews." *(D–630, GB 199)*

His diary entry of the same date, which confirms that order, starts:

> "The attention of all C.O.'s is again drawn to the fact that all efforts to rescue * * * run counter to the rudimentary demands of warfare * * *."

Well, the defendant denied that this means that crews were to be destroyed or annihilated. But the previous history makes it abundantly clear that this was an invitation to U-boat commanders to destroy the crews of ship-wrecked merchantmen, while preserving an argument for Doenitz to make, should—as has indeed happened—occasion arise. That, after all, was the pattern laid down by Hitler when on the 3rd January 1942, he told Oshima that *(D–423, GB 197):*

> "He must give the order that in case foreign seamen could not be taken prisoner * * * U-boats were to surface after torpedoing and shoot up the lifeboats."

The evidence shows constant pressure by Hitler from then on for the issue of this order. It is admitted that he demanded it at a meeting with both Doenitz and Raeder on the 14th May and that he raised the question again on the 5th September. Doenitz himself referred to pressure by Hitler during the "Laconia" incident. You have confirmation that the order issued on the 17th September was intended to bear the construction put upon it by the Prosecution in the evidence of the witness Heisig and that of Moehle. Is it conceivable that a senior officer would have been allowed to go on from the 17th September 1942 until the end of the war briefing the hundreds of U-boats which set out from Kiel that this was an order to annihilate unless that was what the Naval War Staff intended? You have the evidence that Doenitz himself saw every U-boat commander before and after his cruise, his own admissions with regard to the comments made by his staff officers at the time he drafted the order and his general attitude revealed by the order of October 1939, which he admits was a non-rescue order—an utterly indefensible order in itself in the submission of the Prosecution. There is further the coincidence that the very argument which Hitler advanced to Oshima, namely, the importance of preventing the Allies finding the crews for the immense American construction programme, was the argument Doenitz himself admits putting forward on the 14th May, was the argument which Heisig reports hearing, and is the reason given for the subsequent order to give priority in attacking convoys to sinking rescue ships. You have the instances of the "Antonice", the "Noreen Mary", and the "Peleus" whilst the man who expressed horror at the idea that he should issue such an order admittedly saw the log of the U-boat which sank the "Sheaf Mead" with its brutal entry describing the sufferings of those left in the water. Doenitz' own statement was that "to issue such a directive could only be justified if a decisive military success could be achieved by it." Was it not because, as his own document shows, the percentage of ships being sunk outside convoys in September 1942, was so high that a decisive military success might have been gained that this order was issued, whereas in April 1943, when almost all sinkings were in convoy, it was not necessary to issue a further order yet more explicit in its terms?

The Prosecution firmly and strongly submit that the defendant Doenitz intended by that order to encourage and procure as many submarine commanders as possible to destroy the crews of torpedoed merchant ships but deliberately couched the order in its present language so that he could argue the contrary if circumstances required it. On the evidence of Admiral Wagner that the Naval War Staff approved the order of 17th September 1942 with respect to survivors, Raeder cannot escape responsibility and, indeed, since he was present at the meeting with Hitler in May of that year and received the Fuehrer order of the 5th September 1942 to issue instructions to kill survivors, there can be little doubt that he was fully involved in his subordinate's Policy.

Although within a few months Allied air power made it impossible for U-boats in most areas to risk surfacing at all after they had discharged their torpedo, and the question became one of less importance, it is interesting to note that when the order against rescue ships was issued on the 7th of October the following year the same phrase "destruction of ship's crews" recurred *(D-663, GB 200)*.

Despite the denial of Kapitan Leutnant Eck, there can really be no real doubt that, briefed by Hoehle, he did what his superior Officers intended him to do. Why should it be supposed that a man, who a month later received Hitler's Commando Order without protest, should shrink from ordering the destruction of seamen on rafts or clinging to wreckage, when Hitler had explained its military necessity. Eck, who obeyed the orders of Raeder and Doenitz, has paid the supreme penalty. Are they to escape with less?

Belligerent Occupation

(a) SLAVE LABOR

I turn now to yet another war crime—the use of slave labour. Its importance for the German war machine had been appreciated by these Defendants long before the outbreak of war. Hitler had mentioned it in "Mein Kampf" and emphasized it at the meeting in May 1939. A few weeks later in June the Reich Defense Council, Goering, Frick, Funk and Raeder and representatives of every other Ministry of State were planning to employ 20,000 concentration camp inmates and hundreds of thousands of workers from the Protectorate in the coming war *(L-79, USA 27; 3387-PS, USA 566)*.

Hitler's plan for Poland, revealed to Schirach and Frank, was as follows *(USSR 172)*:

> "The ideal picture is this—a Pole may possess only small holdings in the Government General which will to a certain extent provide him and his family with food. The money required by him for clothes, etc., he must earn in Germany by work. The Government General must become a centre for supplying unskilled labour, particularly agricultural labour.

> The subsistence of these workmen will be fully guaranteed because they can always be made use of for cheap labor."

That policy, was, of course, a short-term policy, the real aim being the elimination of the Eastern peoples. Sauckel was appointed Plenipotentiary with the task of replacing two million German workers who had been called to service with the Wehrmacht, and he, himself says that after Hitler had emphasized that it was a war necessity he had no scruples and within a month of his appointment he had sent his first labour mobilization programme to Rosenberg *(016–PS, USA 168)*.

> "Should we not succeed in obtaining the necessary labour on a voluntary basis we must immediately institute conscription of forced labour * * * a gigantic number of new foreign slave workers * * * men and women * * * an indisputable necessity."

This programme he was to carry out *(017–PS, USA 180)*

> "with every possible pressure and a ruthless commitment of all our resources."

It is unnecessary to refer to the voluminous evidence of the execution of this policy for the recruitment of workers. It is sufficient to quote Sauckel again addressing the Central Planning Board in March of 1944 *(R–124, USA 179)*:

> "Trained male and female agents who shanghaied men for labour in Germany * * * . Out of five million foreign workers who arrived in Germany not even 200,000 came voluntarily."

The methods employed in their forced deportations are hideous in their brutality and must have been known to every one of these defendants. In April of 1941 Himmler was addressing the officers of the SS Leibstandarte Adolf Hitler *(1918–PS, USA 304)*:

> "Very frequently a member of the Waffen SS thinks about the deportation of this people, here. These thoughts come to me today watching the very difficult work performed by the Security Police and supported by your men who help them a great deal. Exactly the same thing happened in Poland in weather 40 degrees below zero where we had to haul away thousands, tens of thousands, hundreds of thousands."

And again *(1919–PS, USA 170)*:

> "Whether 10,000 Russian females fall down from exhaustion while digging an anti-tank ditch interests me only in so far as the anti-tank ditch for Germany is finished * * *. When somebody comes to me and says, 'I can't dig the anti-tank ditch with women and children, it is inhuman, for it would kill

> them', then I have to say that you are a murderer of your own blood because if the anti-tank ditch is not dug, German soldiers will die and they are the sons of German mothers * * *. We must realize that we have 6-7 million foreigners in Germany. * * *. Perhaps it is even eight million now. We have prisoners in Germany. They are none of them dangerous so long as we take severe measures at the merest trifle."

By August 1943 the need for workers was even greater. Himmler ordered *(744–PS, USA 455):*

> "That all young female persons capable of work are to be sent to Germany for work through the agency of Reich Commissioner Sauckel. Children, old women and men are to be collected and employed in women's and children's camps."

The orders issued to Group Leaders of the SD, active in the Ukraine, showed the same urgency *(3012–PS, USA 190):*

> "The activity of the Labour Office * * * is to be supported to the greatest extent possible. It will not be possible always to refrain from using force * * *. When searching villages, especially when it has become necessary to burn down a village, the whole population will be put at the disposal of the Commissioner by force. As a rule, no more children will be shot * * *. If we limit our harsh measures through the above orders for the time being, it is only done for the following reason. The most important thing is the recruitment of workers."

Speer admitted—how could he deny it—the knowledge and approval of the way the workers were enrolled and brought to Germany against their will; there was Kaltenbrunner's letter to his friend Blaschke *(3803–PS, USA 802):*

> "For special reasons I have in the meantime given orders to ship several evacuation transports to Vienna, at present four shipments with approximately 12,000 Jews are pending. They should reach Vienna within the next few days * * *. Women unable to work and children of those Jews who are all kept in readiness for special action and therefore one day will be removed again, have to stay in the guarded camp also during the day."

That sinister phrase again—the meaning of which they all knew so well—"special treatment", "special action". Murder remains murder by whatever euphemism murderers may seek to describe it.

The need for labour became so urgent that not only were even Jews spared the gas chambers so long as they were fit for employment but children were seized and put to work.

So much for their deportation to Germany. What was to be their lot on their arrival? As early as March 1941 instructions had been issued to the Kreis Farmers Association on the treatment Polish farm workers were to receive. They were to have no rights to complain. They were forbidden to visit churches, all forms of entertainment, public transport were barred. Their employers were given the right to inflict corporal punishment and were "not to be held accountable in any case by any official agency" *(EC–68, USA 205)*. And lastly, it was ordered:

> "Farm workers of Polish nationality should if possible be removed from the community of the home, they can be quartered in stables, etc. No remorse whatever should restrict such action."

The treatment of those employed in industry was even worse. You will remember the affidavit of the Polish doctor in Essen who did his best to attend to the Russian prisoners of war *(D–313, USA 901)*:

> "The men were thrown together in such a catastrophic manner that no medical treatment was possible * * *. It seemed to me unworthy of human beings that people should find themselves in such a position * * *. Every day at least ten men were brought to me whose bodies were covered with bruises on account of the continual beatings with rubber tubes, steel switches or sticks. The people were often writhing with agony and it was impossible for me to give them even a little medical aid * * *. It was difficult for me to watch how such suffering people could be directed to do heavy work * * *. Dead people often lay for two or three days on the palliasses until their bodies stank so badly that fellow prisoners took them outside and buried them somewhere * * *. I was a witness during a conversation with some Russian women, who told me personally that they were employed in Krupp's factory and that they were beaten daily in a most bestial manner * * *. Beating was the order of the day."

By the end of 1943 more than five million men, women and children were working in the Reich and if we include prisoners of war the total of those working in Germany was at this date just under 7,000,000. To these must be added the hundreds of thousands brought in during 1944. Millions of men and women taken from their homes by the most brutal methods, transported in all weathers in cattle-trucks from every quarter of Europe, employed on farms and in factories throughout the Reich, frequently under abominable conditions. Children taken from their parents, many to remain for their lives, orphans, not knowing their identity or true names; taken away before they were old enough to remember the place from which they came. What is the measure of this crime? No man in that dock can dispute his knowledge or his complicity. The minutes of the Central Planning Board must have been read in every department of the State. You have seen the mass of evidence connecting the military leaders and every other branch of the Government with this colossal programme of slavery. None of these men can be acquitted of this crime. None of them can have been ignorant of the scale and brutality with which it was perpetrated *(D–524, GB 532)*.

I pass now to a connected matter, but one even more terrible. The general manner in which the Defendants conducted the belligerent occupation of the territories which they had overrun.

(B) EXTERMINATION

The evidence that these territories were the scene of murder, slavery, terrorism and spoliation on a scale without precedent in history, in breach of the elementary rules as to belligerent occupation has not really been seriously challenged. These crimes were in no sense sporadic or isolated depending on the sadism of a Koch here or cruelty by a Frank there. They were part and parcel of a deliberate and systematic plan of which their action in regard to slave labour was a lust symptom. In order to establish the "1,000-year Reich", they set out to accomplish the extermination or permanent weakening of the racial and national groups of Europe or of those sections, such as the intelligentsia, on which the survival of those groups must largely depend.

The origin of this terrible attempt upon the existence of free and ancient nations goes back to the whole Nazi doctrine of total war which rejected war as being merely against States and their armies, as international law provides. Nazi total war was also a war against civilian populations, against whole peoples. Hitler told Keitel at the end of the Polish campaign *(864–PS, USA 609):*

> "Shrewdness and severity must be the maxims in this racial struggle in order to spare us from going to battle on account of Poland again."

The aims of genocide were formulated by Hitler in the following words in his conversation with Hermann Rauschning *(USSR 378):*

> "The French complained after the war that there were twenty million Germans too many. We accept the criticism. We favor the planned control of population movements. But our friends will have to excuse us if we subtract the twenty millions elsewhere. After all these centuries of whining about the protection of the poor and lowly, it is about time we decided

> to protect the strong against the inferior. It will be one of the chief tasks of German statesmanship for all time to prevent, by every means in our power, the increase of the Slav races. Natural instincts bid all living beings not merely to conquer their enemies, but also destroy them. In former days, it was the victor's prerogative to destroy entire tribes, entire peoples. By doing this gradually and without bloodshed, we demonstrate our humanity."

Himmler's vision was similar *(L–70, USA 308):*

> "For us the end of this war will mean an open road to the East, the creation of the Germanic Reich in this way or that * * *the fetching home of 30 million human beings of our blood, so that still during our lifetime we shall be a people of 120 million Germanic souls. That means that we shall be the sole decisive power in Europe. That means that we shall then be able to tackle the peace, during which we shall be willing for the first twenty years to rebuild and spread out our villages and towns, and that we shall push the borders of our German race 500 kilometers farther out to the East."

Their aims went beyond mere Germanization, the imposing of the German cultural pattern upon other peoples. Hitler was resolved to expel non-Germans from the soil he required, but that they owned, and colonize it by Germans. This is plainly stated in "Mein Kampf" *(D–660, GB 128).*

> "* * * The Polish policy in the sense of a Germanization of the East, demanded by so many, was rooted unfortunately almost always in the same wrong conclusion. Here too it was believed that one could bring about a Germanization of the Polish element by a purely linguistic integration into the German nationality. Here too the result would have been an unfortunate one; people of an alien race, expressing its alien thought in the German language, compromising the height and dignity of our own nationality by its own inferiority."

Himmler put it even more clearly *(2915–PS, USA 306):*

> "It is not our task to Germanize the East in the old sense, that is to teach the people there the German language and the German law, but to see to it that only people of purely Germanic blood live in the East."

The defendants were careful to conceal their true aims from their victims. In January 1940 a captured report reads *(661–PS, USA 300):*

> "In order to relieve the living space of Poles in the Government General as well as in the liberated East, one should remove cheap labor temporarily by hundreds of thousands, em-

> ploy them for a few years in the old Reich, and thereby hamper their native biological propagation."

and it concludes:

> "Strictest care is to be taken that secret circulars, memoranda and official correspondence which contain instructions detrimental to the Poles are kept rigidly under lock and key so that they will not some day fill the White Books printed in Paris or the U.S.A."

Again, the day before the appointment of Rosenberg as Minister for the East, Hitler told him in the presence of Keitel, Goering and Bormann *(L–221, USA 317):*

> "We ought to act here in exactly the same way as we did in the case of Norway, Denmark, Holland and Belgium. In these cases too we did not publish our aims and it is only sensible to continue in the same way. Therefore we shall emphasize again that we were forced to occupy, administer or secure a certain area. It was in the interests of the inhabitants that we provided order, food, communications, etc. Hence our measures. Nobody shall be able to recognize that it initiates a final settlement. This need not prevent our taking all necessary measures —shooting at sight, etc., and we shall take them."

Having given these words of caution to his confederates, you will remember how Hitler went on to elaborate his plans for the destruction of the Soviet peoples. The Crimea, he said, must be evacuated of all foreigners and settled by Germans only.

> "We now have to face the task of cutting up the giant cake according to our needs in order to be able
> Firstly, to dominate it,
> secondly, to administer it,
> thirdly, to exploit it."

The pattern was exemplified in the infamous plan of Neurath and Frank for Bohemia and Moravia—the same Neurath whose Counsel the day before yesterday asked you to respect the holiness of the individual. The pattern, I say, was exemplified in their plan for Bohemia and Moravia. No more terrible document has been put in evidence in this trial nor one which more completely exposes the falsity of the slogan "Lebensraum", which constituted the excuse for the rape of Czechoslovakia *(3859–PS, GB 520)*. That plan required the elimination of the intelligentsia, the bearers of Czechoslovakia history and tradition, and since the long term solution of evacuating all Czechs completely from the country and replacing them by Germans could not be affected immediately because of shortage of Germans, a short term solution of Germanising the remainder of the population. This was to be done by rendering their language a dialect, by abolition of higher education, by instituting a stringent marriage policy after previous racial examination. You will remember Frank's summary:

> "Apart from the continuance of the propaganda for Germanization and the granting of advantages as an inducement, severest police methods with exile and special treatment for all saboteurs. Principle:
> 'Pastry and Whip' ".

You will remember too the plan for Poland discussed in Hitler's train on 12th September 1939 by Rippentrop, Keitel and Jodl as described in the evidence of the witness Lahousen and the discussion between Hitler, Schirach and Frank three weeks later after dinner in the Fuehrer's apartment *(864–PS, USSR 172)*.

> "There should be one master only for the Poles— the German; two masters side by side cannot and must not exist and therefore all representatives of Polish intelligentsia are to be exterminated. This sounds cruel but such is the law of life."

Such were the plans for the Soviet Union, for Poland and for Czechoslovakia. Genocide was not restricted to extermination of the Jewish people or of the gypsies. It was applied in different forms to Yugoslavia, to the non-German inhabitants of Alsace-Lorraine, to the people of the Low Countries and of Norway. The technique varied from nation to nation, from people to people. The long term aim was the same in all cases.

The methods followed a similar pattern: first a deliberate programme of murder, of outright annihilation. This was the method applied to the Polish intelligentsia, to gypsies and to Jews. The killing of millions, even by the gas chambers and mass shootings, employed was no easy matter. The defendants and their confederates also used methods of protracted annihilation, the favourite being to work their victims to death, hence Himmler's bond with the Minister of Justice in September 1942 under which antisocial elements were handed over to the SS "to be worked to death". On the 14th of the same month Goebbels was recommending this method in terms *(682–PS)*:

> "With regard to the destruction of social life Dr. Goebbels has the opinion that the following groups should be exterminated: Jews and gypsies unconditionally, Poles who have to serve 3-4 years of penal servitude, and Czechs and Germans who are sentenced to death or penal servitude for life or to security custody for life. The idea of exterminating them by labour is the best."

Another favourite technique of extermination was by starvation. Rosenberg, the great architect of this policy of national murder, told his collaborators in June 1941 *(1058–PS, USA 147)*:

> "The object of feeding the German people stands this year without a doubt at the top of the list of German's claims on the East, and there the southern territories and the Norther Caucasus will have to serve as a balance for the feeding of the German people. We see absolutely no reason for any obligation on our part to feed also the Russian people with the products of that surplus territory. We know that this is a harsh necessity bare of any feelings. A very extensive evacuation will be necessary without any doubt and it is sure that the future will hold very hard years in store for the Russians."

The method applied in Alsace was deportation. A captured report reads *(R–114, USA 314):*

> "The first expulsion action was carried out in Alsace in the period from July to December, 1940: in the course of it, 105,000 persons were either expelled or prevented from returning. They were in the main Jews, gypsies and other foreign racial elements, criminals, anti-social and incurably insane persons, and in addition Frenchmen, and Francophiles. The Patois-speaking population was combed out by these series of deportations in the same way as the other Alsatians."

The report goes on to state that new deportations are being prepared and after reciting the categories affected, sums up the measures being taken:

> "The problem of race will be given first consideration and this in such a manner that persons of racial value will be deported to Germany proper and racially inferior persons to France."

The Nazis also used various biological devices, as they have been called, to achieve genocide. They deliberately decreased the birthrate in the occupied countries by sterilization, castration and abortion, by separating husband from wife and men from women and obstructing marriage.

> "We are obliged to depopulate", said Hitler to Rauschning, "as part of our mission of preserving the German population. We shall have to develop a technique of depopulation. If you ask me what I mean by depopulation, I mean the removal of entire racial units. And that is what I intend to carry out—that, roughly, is my task. Nature is cruel; therefore, we, too, must be cruel. If I can send the flower of the German nation into the hell of war without the smallest pity for the spilling of precious German blood, then surely I have the right to remove millions of an inferior race that breeds like vermin."

You have seen Neurath's use of this biological device in his plan for Czechoslovakia. Listen to Boermann's directives for the Eastern Territory summarized by one of Rosenberg's subordinates *(R-36, USA 699):*

> "The Slavs are to work for us. In so far as we don't need them, they may die. Therefore, compulsory vaccination and German Health services are superfluous. The fertility of the Slavs is undesirable. They may use contraceptives or practise abortion; the more the better. Education is dangerous. It is enough if they can count up to a hundred. At best an education which produces useful stooges for us is admissible."

Himmler speaks with the same voice *(1919-PS, USA 170):*

> "We must be honest, decent, loyal and comradely to members of our own blood, to nobody else. What happens to a Russian, a Czech, does not interest me in the slightest. What the nations can offer in the way of good blood of our type we will take. If necessary by kidnapping their children and raising them here with us. Whether nations live in prosperity or starve to death interests me only in so far as we need them as slaves for our Kultur; otherwise it is of no interest to me."

The converse to methods designed to decrease the birthrate in occupied territories was the artificial increase in the birthrate of Germans. In February, 1941, the defendant Seyss-Inquart organized a system of giving away Dutch girls to German soldiers. In violation of Article 43 of the Hague Convention, he ordered changes in the law of the Netherlands so that he could assume parental and guardianship rights over girls, substituting himself for their parents if the parents refused their daughters permission to marry German soldiers.

This policy of Seyss-Inquart's was later confirmed by the supreme authorities of the German Reich, Hitler, Keitel and Lammers on July 28th, 1942. A decree was issued granting subsidies and employment privileges for Dutch and Norwegian women bearing children to members of the German Armed Forces. And they have the impudence to talk now about the holiness of the individual. This was simply a plan to transfer, as if it were some mercantile commodity, the biological resources of Holland and Norway to the use of the German people. Himmler was one of the advocates of stealing children: as he said on the 14th October 1943 *(L-70, USA 308):*

> "Obviously in such a mixture of peoples there will always be some racially good types. Therefore I think that it is our duty to take their children with us to remove them from their environment, if necessary by robbing or stealing them * * * Either we win over any good blood that we can use for our-

> selves and give it a place in our people or * * * we destroy this blood."

In the case of Russia, Keitel who had learned the phrase "Shrewdness and severity" as the maxim for the exploitation of Poland, paved the way by his orders of the 13th May and 23rd July, 1941. I quote from the latter, drafted on his own admission by Jodl *(C–50, USA 554; C–52, GB 485):*

> "In view of the vast size of the occupied areas in the East the forces available for establishing security in these areas will be sufficient only if all resistance is punished not by legal prosecution of the guilty but by the spreading of such terror by the armed forces as is appropriate to eradicate every inclination to resist among the population. Commanders must find the means of keeping order * * * not by demanding more security forces but by applying suitable draconic methods."

The immediate needs of the war machine no doubt saved the Western Territories from similar destruction but the Tribunal have ample evidence of the plunder of France, the Low Countries and the other territories which these men exploited to the utmost possible extent. In view of the nature of their murderous policy, it is not surprising that the men charged by the defendants to carry it out were brutes. In Rosenberg's domain, for instance, there was Koch, who was recommended by Rosenberg for the post of Commissar in Moscow because of the very fact of his "absolute ruthlessness." It was Koch who caused the slaughter of several hundred innocent human beings in the Zuman wood area so that he could have a private hunting reserve. Another of Rosenberg's agents was Kube, who wrote *(3428–PS, USA 827):*

> "We have liquidated in the last ten weeks about 55,000 Jews in White Ruthenia. In the territory Minskland, Jewry has been eliminated without endangering the manpower demands: in the pre-eminently Polish territory Lida 16,000 Jews, in Klin 8,000 Jews and so forth have been liquidated."

As to Poland, the orders given to Frank were as follows *(EC–344, USA 297):*

> "Ruthless expansion * * * reduction of entire Polish economy to absolute minimum necessary for bare existence * * * The Poles shall be the slaves of the greater German World Empire."

And we know how he carried it out. In January 1940 he records *(2233–PS):*

> "Cheap labour must be removed from the General Govern-

> ment by hundreds of thousands. This will hamper the native biological propagation."

In May he speaks of:

> "taking advantage of the focussing of world interest on the Western Front by wholesale liquidations of thousands of the Poles, first the leading representatives of the Polish intelligentsia."

and in December:

> "Poles must feel they have only one duty; to work and to behave. We must carry out all measures ruthlessly: rely on me."

We who try to understand the problems of Eastern Europe must try to understand this: The details of the martyrdom of Poland cannot be described: A third of the people murdered; millions left impoverished, sick, maimed and helpless; liberation was just in time to save this ancient people from the terrible fulfilment of the programme which these men had plotted.

The Extermination of the Jews

There is one group to which the method of annihilation was applied on a scale so immense that it is my duty to refer separately to the evidence. I mean the extermination of the Jews. If there were no other crime against these men, this one alone, in which all of them were implicated, would suffice. History holds no parallel to these horrors.

As soon as the prospects of a Second World War became a certainty, Streicher, who had preached this infamous doctrine as far back as 1925, began in earnest to advocate annihilation as he, on his own admission, had been instrumental in effecting the Nurnberg Decrees by years of propaganda in favour of racial laws, so now, in January 1939, anticipating the war which was to come, he began, in articles published in the Sturmer with "the full support of the highest Reich authority", to demand with all vehemence the physical extinction of the Jewish race. Unless words have completely lost their meaning, what do these mean but murder:

"They must be exterminated root and branch" *(D–811, GB 333)*.

"Then will the criminal race be forever eradicated" *(D–831, GB 357)*.

"Then will they slay the Jews in masses" *(D–817, GB 340.)*

"Prepare a grave from which there can be no resurrection" *(M–148, GB 341)*.

Almost immediately after the war had started the organized extermination of the Jewish race began. Hoess has told you:

"The final solution of the Jewish question means the complete extermination of all Jews in Europe. I was ordered to establish extermination facilities in Auschwitz in June 1941. At that time there were already in the General Government 3 other extermination camps, Belzek, Treblinka and Wolzek."

Already the Jews in Germany and Poland had been concentrated in the ghettos of the Government General. Over dinner in the Fuehrer's apartment in October 1940, Frank had explained and I quote *(864–PS, USSR 172):*

"The activities in the Government General could be termed very successful. The Jews in Warsaw and other cities were now locked up in ghettos, Krakow would very shortly be cleared of them. Reichsleiter von Schirach remarked that he still had more than 50,000 Jews in Vienna when Dr. Frank would have to take over from him."

When the order actually came, therefore, the preparatory measures, so far as they affected Poland and Germany, had already been taken. Of the destruction of the ghettos and the slaughter of their populations General Stroop's report on the Warsaw action is eloquent evidence. But the fate of the Jews in Warsaw was only typical of the fate of the Jews in every other ghetto in Poland *(1061–PS, USA 275).*

When they were not slaughtered in the ghettos themselves they were transported to the gas chambers. Hoess, Commandant of Auschwitz, described the procedure:

"I visited Treblinka to find out how they carried out their exterminations. The Camp Commandant at Treblinka told me that he had liquidated 80,000 in the course of one half-year. He was principally concerned with the liquidation of the Jews from the Warsaw ghetto." Hoess describes the improvements that he made at Auschwitz. He introduced the new gas, Cyclone B which

"took from 3 to 15 minutes to kill the people in the death chamber, dependent upon climatic conditions. We knew when the people were dead because screaming stopped * * * Another improvement we made over Treblinka was that we built our gas chambers to accommodate 2,000 people at a time, whereas at Treblinka their 10 gas chambers only accommodated 200 people each". And he describes the selection of the victims from the daily transports that arrived:

"Those who were fit for work were sent into a camp. Others were sent immediately to the extermination plant. Children of tender years were invariably exterminated since, by reason of their youth, they were unable to work. Still another improvement we made over Treblinka was that at Treblinka the victims almost always knew they were to be exterminated and at Auschwitz we endeavored to fool the victims into thinking that they were going through a delousing process. Of course, frequently they realized our true intentions. Very frequently the women would hide their children under their clothes but of course when we found them we would send the children in to be exterminated. We were required to carry out these exterminations in great secrecy, but of course the foul and nauseating stench from the continuous burning of bodies permeated the entire area and all the people living in the surrounding communities knew that exterminations were going on at Auschwitz." So also must they have known in the districts surrounding Belzek, Treblinka, Wolzek, Mauthausen, Sachsenhausen, Flossenburg, Neuengamme, Gusen, Natzweiler, Lublin, Buchenwald and Dachau.

I do not repeat these things in order to make the blood run cold. It is right that a few of these typical matters should be extracted from the great mass of the evidence which is accumulated here so that one may see this thing in its true perspective and appreciate the cumulative effect of what has been proved.

Whilst the German Armies surged into Russia and the Baltic States, the Einsatz Commandos followed in their wake. Their dreadful work had been planned and prepared in advance. In the file describing the operations of the Task Force A there is a map of the Baltic countries showing the number of Jews that were living in each State who were to be hounded out and killed. Another map shows the results achieved after those two or three months' work—a total of 135,567 Jews destroyed. In another report on their operations during October 1941 it is proudly stated that they continued "on the march with the advancing troops into the sectors which have been assigned to them" *(L–180, USA 276; 2273–PS, USA 487)*.

These actions were not only the work of the SS and Himmler. They were carried out in co-operation with the Army Commanders with the full knowledge of Keitel and Jodl and, indeed, because every soldier fighting in the East must have known about them, with the knowledge also of every member of the Government and of the commanders of its Armed Forces (L–180, USA 276).

"Our task", so states the report of the Task Force A, "was hurriedly to establish personal contact with the commanders of the armies and with the commander of the rear army. It must be stressed from the beginning that cooperation with the armed forces was generally good. In some cases, for instance, with Panzer Group 4 under Col. Gen. Hoeppner, it was very close, almost cordial."

The German Generals were "almost cordial" as they weltered in the blood of hundreds of thousands of helpless, innocent men, women and children. Perhaps they enjoyed this work in the same way as the members of the Einsatz Commandos themselves apparently enjoyed it.

"It should be mentioned", states the report, "that the leaders of the armed SS and of the uniformed police who are reserves, have declared their wish to stay on with the Security Police and the SD."

Again and again in the reports of the Einsatz Commandos' progress, co-operation with the army authorities is emphasized. After describing how thousands of Lithuanian Jews had been made harmless during a particular pogrom in June, it is stated:

"These self-cleansing actions went smoothly because the army authorities who had been informed showed understanding for this procedure." Nor was it only cordiality and understanding that the army authorities showed. In some cases they themselves took the initiative. After describing the murder of inmates of lunatic asylums that had fallen into their hands, the Einsatz Commando report continues:

"Sometimes authorities of the Armed Forces asked us to clear out in a similar way other institutions which were wanted as billets. However, as the interests of the Security Police did not require any intervention, it was left to the authorities of the Armed Forces to take the necessary action with their own forces." And again:

"The advance of the forces of Action Group A which were intended to be used for Leningrad was effected in agreement with and on the express wish of Panzer Group 4."

How can operations of this kind, extending for months and years over vast territories, carried out with the cooperation of the Armed Forces as they advanced and in the rear areas that they administered have remained unknown to the leaders in Germany? Even their own Commissioners in the occupied territories protested. In October 1941 the Commissioner for White Ruthenia was forwarding to the Reich Commissioner for Eastern Territories at Riga a report on the operations in his district. Some idea of the horror of those operations can be seen from the report *(1104–PS, USA 483)*.

"Regardless of the fact that the Jewish people, among whom were also tradesmen, were mistreated in a terribly barbarous way in the face of the White Ruthenian people, the White Ruthenians themselves were also worked over with rubber clubs and rifle butts * * * the whole picture was generally more than ghastly

* * * I was not present at the shooting before the town. Therefore I cannot make a statement on its brutality. But it should suffice if I point out that persons shot have worked themselves out of their graves some time after they had been covered."

But protests such of this kind were of no avail; the slaughter continued with unabated ghastliness.

In February 1942, in Heydrich's activity and situation report on the Einsatz Commandos in the U. S. S. R. of which a copy was addressed to Kaltenbrunner personally, it was stated *(3876–PS, USA 808):*

"We are aiming at cleansing the Eastern countries completely of Jews * * * Estonia has already been cleared of Jews. In Latvia the number of Jews in Riga, of which there were 29,500 has now been reduced to 2,500."

By June 1943, the Commissioner for White Ruthenia was again protesting. After referring to 4,500 enemy dead, he says:

"The political effect of this large scale operation upon the peaceful population is simply dreadful in view of the many shootings of women and children."

The Reich Commissar for Eastern Territories, forwarding that protest to Rosenberg, the Reich Minister for Occupied Eastern Territories in Berlin, added *(R–135, USA 289):*

"The fact that Jews receive special treatment requires no further discussions. However, it appears hardly believable that this is done in the way described in the report of the General Commissar. What is Katyn against that? Imagine only that these occurrences would become known to the other side and exploited by them. Most likely such propaganda would have no effect if only because people who read and heard about it simply would not be ready to believe it."

How true that comment is. Are we ready even now to believe it? Describing the difficulty of distinguishing between friend and foe, he says:

"Nevertheless, it should be possible to avoid atrocities and to bury those who have been liquidated. To lock men, women and children into barns and set fire to them does not appear to be a suitable method of combatting bands, even if it is desired to exterminate the population. This method is not worthy of the German cause and hurts our reputation severely."

Of those Jews murdered in White Ruthenia, over 11,000 were slaughtered in the district of Libau, and 7,000 of them had been killed in the naval port itself *(L–180, USA 276; D–841, GB 474).*

How can any of these Defendants plead ignorance of these things? When Himmler was speaking of these actions openly amongst his SS Generals and all the officers of his SS Divisions in April 1943, he told them *(1918–PS, USA 304):*

> "Anti-semitism is exactly the same as delousing. Getting rid of lice is not a question of ideology: It is a matter of cleanliness. In just the same way, anti-semitism for us has not been a question of ideology but a matter of cleanliness which now will soon have been dealt with. We shall soon be deloused. We have only 20,000 lice left, and then the matter is finished off within the whole of Germany."

And again in October of that year *(1919–PS, USA 170):*

> "Most of you must know what it means when 100 corpses are lying side by side, or 500, or 1,000."

Meanwhile, the mass murder of the Jews at Auschwitz and the other extermination centres was becoming a State industry with many by-products. Bales of hair, some of it, as you will remember, still plaited as it had been shorn off the girls' heads, tons of clothing, toys, spectacles and other articles went back to the Reich to stuff the chairs and clothe the people of the Nazi State. The gold from their victims' teeth, 72 transports full, went to fill the coffers of Funk's Reichsbank. On occasion, even the bodies of their victims were used to make good the wartime shortage of soap *(USSR 272).*

The victims came from all over Europe. Jews from Austria, Czechoslovakia, Hungary, Rumania, Holland, Soviet Russia, France, Belgium, Poland and Greece were being herded together to be deported to the extermination centers or to be slaughtered on the spot.

In April 1943, Hitler and Ribbentrop were pressing the Regent Horthy to take action against the Jews in Hungary. Horthy asked *(D–736, GB 283):*

> "What should he do with the Jews now that he had deprived them of almost all possibilities of livelihood; he could not kill them off. The Reich Foreign Minister declared that the Jews must be either exterminated or taken to concentration camps. There was no other possibility."

Hitler explained:

> "In Poland the state of affairs had been fundamentally cleared up. If the Jews there did not want to work they were shot. If they could not work they had to succumb. They had to be treated like tuberculosis baccillae. This was not cruel if one remembered that even innocent creatures of nature, such as

> hares and deer, have to be killed so that no harm is caused by them."

In September 1942, Ribbentrop's State Secretary, Luther, was writing *(3688–PS)*

> "The Reich Foreign Minister has instructed me today by telephone to hasten as much as possible the evacuation of the Jews from different countries * * * After a short lecture on the evacuation now in progress in Slovenia, Croatia, Rumania and the Occupied Territories, the Reich Foreign Minister has ordered that we are to approach the Bulgarian, Hungarian and Danish Governments with the goal of getting evacuation started in these countries."

By the end of 1944, 400,000 Jews from Hungary alone had been executed in Auschwitz. In the German Embassy in Bucharest, the files contained a memorandum *(3319–PS, GB 287:*

> "110,000 Jews are being evacuated from Bukovina and Bessarabia into two forests in the area of the river Bug * * * The purpose of the action is the liquidation of these Jews."

Day by day, over years, women were holding their children in their arms and pointing to the sky while they waited to take their place in blood-soaked, communal graves. 12,000,000 men, women and children have died thus, murdered in cold blood; millions upon millions more today mourn their fathers and mothers, their husbands, their wives and their children. What rights has any man to mercy who has played a part—however indirectly—in such a crime?

Let Graebe speak again of Dubno *(2992–PS, USA 494):*

> "On 5th October 1942, when I visited the building office at Dubno my foreman told me that in the vicinity of the site, Jews from Dubno had been shot in three large pits, each about 30 metres long and 3 metres deep. About 1,500 persons had been killed daily. All of the 5,000 Jews who had still been living in Dubno before the pogrom were to be liquidated. As the shooting had taken place in his presence, he was still much upset.
>
> Thereupon I drove to the site, accompanied by my foreman and saw near it great mounds of earth, about 30 metres long and 2 metres high. Several trucks stood in front of the mounds. Armed Ukrainian militia drove the people off the trucks under the supervision of an S.S. man. The militia men acted as guards on the trucks and drove them to and from the pit. All these people had the regulation yellow patches on the front and back of their clothes and thus could be recognized as Jews.
>
> My foreman and I went directly to the pits. Nobody both-

ered us. Now I heard rifle shots in quick succession from behind one of the earth mounds. The people who had got off the trucks—men, women and children of all ages—had to undress upon the orders of an S.S. man, who carried a riding or dog whip. They had to put down their clothes in fixed places, sorted according to shoes, top clothing and underclothing. I saw a heap of shoes of about 800 to 1,000 pairs, great piles of under linen and clothing. Without screaming or weeping these people undressed, stood around in family groups, kissed each other, said farewells, and waited for a sign from another S.S. man, who stood near the pit, also with a whip in his hand. During the 15 minutes that I stood near I heard no complaint or plea for mercy. I watched a family of about 8 persons, a man and a woman both about 50 with their children of about 1, 8 and 10, and two grown up daughters of about 20 to 24. An old woman with snow-white hair was holding the one year old child in her arms and singing to it and tickling it. The child was cooing with delight. The couple were looking on with tears in their eyes. The father was holding the hand of a boy about 10 years old and speaking to him softly; the boy was fighting his tears. The father pointed to the sky, stroked his head and seemed to explain something to him. At that moment the SS man at the pit shouted something to his comrade. The latter counted off about 20 persons and instructed them to go behind the earth mound. Among them was the family which I have mentioned. I well remember a girl, slim and with black hair who, as she passed close to me, pointed to herself and said, "23". I walked around the mound and found myself confronted by a tremendous grave. People were closely wedged together and lying on top of each other so that only their heads were visible. Nearly all had blood running over their shoulders from their heads. Some of the people shot were still moving. Some were lifting their arms and turning their heads to show that they were still alive. The pit was already two thirds full. I estimated that it already contained about 1,000 people. I looked for the man who did the shooting. He was an SS man, who sat at the edge of the narrow end of the pit, his feet dangling into the pit. He had a tommy gun on his knees and was smoking a cigarette. The people, completely naked, went down some steps which were cut in the clay wall of the pit and clambered over the heads of the people lying there, to the place to which the SS man directed them. They laid down in front of the dead or injured people; some caressed those who were still alive and spoke to them in a low voice. Then I heard a series of shots. I looked into the pit and saw that the bodies were twitching or the heads lying motionless on top of the bodies which lay before them.

> Blood was running away from their necks. I was surprised that I was not ordered away but I saw that there were two or three postmen in uniform nearby. The next batch was approaching already. They went down into the pit, lined themselves up against the previous victims and were shot. When I walked back round the mound I noticed another truck load of people which had just arrived. This time it included sick and infirm persons. An old, very thin woman with terribly thin legs was undressed by others who were already naked, while two people held her up. The woman appeared to be paralysed. The naked people carried the woman around the mound. I left with my foreman and drove in my car back to Dubno.
>
> On the morning of the next day, when I again visited the site, I saw about 30 naked people lying near the pit—about 30-50 metres away from it. Some of them were still alive; they looked straight in front of them with a fixed stare and seemed to notice neither the chilliness of the morning nor the workers of my firm who stood around. A girl of about 20 spoke to me and asked me to give her clothes and help her escape. At that moment we heard a fast car approach and I noticed that it was an SS detail. I moved away to my site. Ten minutes later we heard shots from the vicinity of the pit. The Jews still alive had been ordered to throw the corpses into the pit; then they had themselves to lie down in this to be shot in the neck."

That no man in that dock can have remained ignorant of the horrors perpetrated to support the Nazi war machine and the policy of genocide becomes the more clear when you consider the evidence with regard to another great crime little heard of during the course of this trial but which, as clearly as any other, illustrates the wickedness of these men and of their regime—the murder of some 275,000 persons by so-called mercy killing. To what base uses that beautiful word was put! *(1556-PS, USA 716.)*

Some time in the summer of 1940 Hitler secretly ordered the murder of ill and aged people in Germany who were no longer of productive value for the German war machine. Frick, more than any other man in Germany, was responsible for what took place as a result of that decree. Of his knowledge and of the knowledge of a great many people in Germany there is abundant evidence. In July, 1940, Bishop Wurm was writing to Frick *(M-152, GB 530)*:

> "For some months past, insane, feeble-minded and epileptic patients of State and private medical establishments have been transferred to another institution on the orders of the Reich Defense Council. Their relatives, even when the patient was

> kept at their cost, are not informed of the transfer until after it has taken place. Mostly they are informed a few weeks after that the patient concerned has died of an illness and that owing to the danger of infection the body has had to be cremated. At a superficial estimate several hundred patients of an institution in Wurttemberg alone must have met their death in this way * * * Owing to numerous enquiries from town and country and from the most variegated circles, I consider it my duty to point out to the Reich Government that this fact is causing a particular stir in our small province. Transports of sick people who are unloaded at the small railway station of Marbach, the buses with opaque windows which bring sick persons from more distant railway stations or directly from the institutions, the smoke which rises from the crematorium and which can be noticed even from a considerable distance * * * all this gives rise to speculation as no one is allowed into the Castle * * * Everybody is convinced that the causes of death which are published officially are selected at random. When, to crown everything, regret is expressed in the obituary notice that all endeavors to preserve the patients' life were in vain, this is felt as a mockery. But it is above all the air of mystery which gives rise to the thought that something is happening which is contrary to justice and ethics and cannot therefore be defended by the Government. This point is continually stressed by simple people as well as in the numerous oral and written statements which come to us."

Frick's ears were deaf to pleas for justice and ethics such as that. A year later, in August 1941, the Bishop of Limbourg wrote to the Reich Ministries of the Interior, of Justice, and Church Affairs *(615–PS, USA 717):*

> "About 8 km. from Limbourg in the little town of Hadamar, on a hill overlooking the town there is an institution which had formerly served various purposes and of late has been used as a nursing home. This institution was renovated and furnished as a place in which, by consensus of opinion, the above mentioned euthenasia had been systematically practiced for months, approximately since February 1941. The fact has become known beyond the administrative district of Weisbaden * * * Several times a week buses arrive in Hadamar with a considerable number of such victims. School children of the vicinity know this vehicle and say: 'There comes the murder box again.' After the arrival of the vehicle citizens of Hadamar watch the smoke rise out of the chimney and are tortured with the thoughts of the misery of the victims, especially when repulsive odours annoy them. The effect of the principles at

> work here are that children call each other names and say: 'You're crazy, you will be sent to the baking ovens in Hadamar.' Those who do not want to marry or find no opportunity say: 'Marry, never! Bring children into the world so that they can be put into the bottling machine!' You hear old folks say: 'Don't send me to a State Hospital: after the feeble minded have been finished off the next useless eaters whose turn it will be are the old people' * * * Officials of the Secret State Police, it is said are trying to suppress discussion of the Hadamar occurrences by means of severe threats. In the interests of public peace this may be well intended, but the knowledge and the conviction and the indignation of the population cannot be changed by it. The conviction will be increased with the realisation that discussion is prohibited with threats but that the actions themselves are not prosecuted under penal law. Facta loquantur."

If the common people of Germany knew and were complaining of these relatively insignificant murders, when the Ministries of Justice, of the Interior and of Church Affairs were receiving protests from the Bishops of two districts far removed from each other, on what was common knowledge in their dioceses, how much greater were the security problems of the Einsatz Commandos in the East. In May 1942 an SS leader reporting to Berlin on a tour of inspection of the progress of the extermination drive wrote of the gas vans *(501-PS, USA 288):*

> "By having small windows introduced, one on each side of the smaller van and two on each side of the bigger van, such as one sees often on peasant's houses in the country, I have had the vehicles in group D disguised to look like vans for living in. The cars are so well known that not only the authorities but also the civilian population allude to it as the 'Death Car' as soon as one of these vehicles appear. In my opinion even with the camouflage it cannot be kept secret for any length of time."

Can these defendants have remained in ignorance? What peculiar dispensation of providence was there that protected them from knowledge of these matters, matters which were their concern?

This slaughter of the aged and imbeciles—the subject of gossip throughout Germany and of articles in the world press—must have been known to every one of these men. How much more then must they have known of the concentration camps which, during those years, covered like a rash the whole of Germany and the occupied territories. If only they could acquiesce in the mercy killings, with what favour they must have regarded the extermination of the Jews.

In 1939 there had been six main concentration camps—Dachau, Sachsenhausen, Buchenwald, Mauthausen, Flossenburg and Ravensbruck. Frick's budget for the Ministry of the Interior for that year includes a sum of RMS. 21,155,000 for armed SS and concentration camps—no less than a fifth of the total budget. By April 1942 there had been added to those six camps nine more, and more were to follow afterwards *(3873–PS, GB 326)*.

But these were only the core of the system. Like planets, each of them had its attendant satellites. Ziereis has given you some idea of the extent of this system. He describes the subsidiary camps that were based on Mauthausen alone. 33 of them he mentioned by name, giving the numbers of prisoners at each—a total of over 102,000. Besides those 33, there were another 45, also all under the authority of the Mauthausen Commandant *(D–626, USA 810)*.

You have seen the map of Europe showing the location of as many of these main subsidiary concentration camps as are known. Over 300 of them are marked on that map *(RF 331)*.

By August, 1944, there was a total of 1,136,000 prisoners, which included 90,000 from Hungary, 60,000 from the police prison and ghetto of Litzmannstadt, 15,000 Poles from the Government General, 10,000 convicts from eastern territories, 17,000 former Polish officers, 400,000 Poles from Warsaw and between 15,000-20,000 continually arriving from France *(1166–PS, USA 458)*.

These were only the physically fit and therefore permanent residents—permanent, at least until through physical exhaustion their productive capacity was no longer worth the nuisance that their continued existence meant. Then they took their place in the daily detail for the gas chambers.

Day after day the chimneys of the crematoria belched their nauseating stench over the countryside. When the Bishop of Limbourg could write to Frick of the repulsive odours from the comparatively insignificant ovens at Hadamar, can we doubt the evidence of Hoess that I mentioned?

"The foul and nauseating stench from the continuous burning of bodies permeated the entire area and all the people living in the surrounding communities knew that exterminations were going on at Auschwitz."

Day after day trainloads of victims travelled over the railroads of the whole Reich on their way to the extermination centers or their own slavery. Many arrived dying and even dead through the appalling conditions under which they journeyed. An official at the railway station at Essen has described the arrival of workers from Poland Galicia and the Ukraine *(D–321, USA 895):*

"They came in goods wagons in which potatoes, building materials and also cattle had been transported. The trucks were jammed full with people. My personal view was that it was inhuman to transport people in such a manner. The people were squashed closely together and they had no room for free movement. It was enraging to every decent German to see how the people were beaten and kicked and generally maltreated in a brutal manner. In the very beginning, as the first transports arrived, we could see how inhumanly these people were treated. Every wagon was so overfull that it was incredible that such a number could be jammed into one wagon * * *. The clothing of prisoners of war and civilian workers was catastrophic. It was ragged and ripped and the footwear was the same. In some cases they had to go to work with rags round their feet.

"Even in the worst weather and bitterest cold I have never seen that any of the wagons were heated."

Those men were not destined for concentration camps that was certain. How much worse the conditions of these who were. Great columns, too, trekked on foot along the highways of the Reich. They walked until they could walk no more; then they died by the side of the road. Ziereis, Commandant of Mauthausen, in his dying confession said *(D–626, USA 810):*

"In the presence of Baldur von Schirach and others I received the following order from Himmler:

"All Jews of localities in the southeast, working on the so-called fortification-commands, are to be sent on foot to Mauthausen."

"In consequence of this order we were expecting to receive 60,000 Jews at Mauthausen, but in fact only a small fraction of this number arrived. I remember that out of one convoy of 4,500 Jews which started out from somewhere in the country, only 180 arrived. The women and children had been without shoes and clothes and were very verminous. In that convoy complete families had started out together but an immense number had died on the way from exposure, weakness, etc."

Now whatever may have been hidden from view behind the stockades of the concentration camps, these things were open for all to see. Every one of these defendants must have seen them and the thousands of concentration camp prisoners working in the fields and factories adorned in their striped pyjamas—a uniform that was as familiar as any other in Germany.

How possibly could any one of these defendants, had he even a spark of human pity, have continued to take active part in support of a system that was responsible for such suffering? But they had no pity—and by their ideology and teaching they had deprived the German people of pity.

Ziereis describes the frightful end that Kaltenbrunner contemplated for the concentration camps and their inmates when the advancing Allied Armies brought with them the danger of capturing these camps and of disclosing the guilt of the Nazi Government *(3870–PS, USA 797):*

> "Prisoners were to be led into the tunnels of the factory Berdkristall and the only entrance was to be blown up by the use of explosive and the death of the prisoners was to be effected in this manner."

Even Ziereis, murderer of Mauthausen's 65,000 dead, shied and refused that order.

That evidence is corroborated beyond question by the written order issued by the Commandant of the Sipo and SD in the Government General, which has been put in as evidence *(L–53, USA 291):*

> "Should the situation at the front necessitate it, early preparations are to be made for the total clearance of prisoners. Should the situation develop suddenly, in such a way that it is impossible to evacuate the prisoners the present inmates are to be liquidated and their bodies disposed of as far as possible (burning, blowing up the building, etc.). If necessary, Jews still employed in the armament industry or on other work are to be dealt with in the same way. The liberation of prisoners or Jews by the enemy, be it the Western enemies or the Red Army, must be avoided under all circumstances. Nor may they fall into their hands alive."

And Kaltenbrunner himself saw to it that these orders should be carried out. With this evidence before us, there can be only one meaning to that teleprint message which was found amongst his papers on his arrest *(2519–PS, USA 530):*

> "Please inform the Reichsfuehrer SS and report to the Fuehrer that all arrangements against Jews, political and concentration camp internees in the Protectorate have been taken care of by me personally today."

The proposition which you are asked to accept is that a man who was either a Minister or a leading executive in a State which, within the space of six years, transported in horrible conditions some 7,000,000 men, women and children for labour, exterminated 275,000 of its own aged and mentally infirm and annihilated in the gas chambers or by shooting what must at the lowest computation be 12,000,000 people, remained ignorant of or irresponsible for these crimes. You are asked to accept that the horrors of the transports, of the conditions of this slave labour, deployed as it was in labour camps throughout the country, the smell of the burning bodies, all of which were known to the world, were not known to these 21 men by whose orders such things were done. When they spoke or wrote in support of this horrible policy of genocide you are asked to accept that their utterances were made in ignorance of the facts, as part of their general duty to support the policy of their Government, or finally, should be regarded merely as tactical—that is to say, that only by talking or writing in such a way could they divert Hitler from cruelty or aggression. It is for you to decide. Goering, Hess, Ribbentrop, Keitel, Kaltenbrunner, Rosenberg, Frank, Frick, Streicher, Funk, Schacht, Doenitz, Raeder, Schirach, Sauckel, Jodl, VonPapen, Seyss-Inquart, Speer, Von Neurath, Fritzsche, Bormann—these are the guilty men.

Let me make brief comments upon each one of them but in particular upon those whose close complicity in the most sordid crimes of all, the bestial murders, has possibly been less manifest.

Goering's responsibility in all these matters is scarcely to be denied. Behind his spurious air of bon homme, he was as great an architect as any in this satanic system. Who, apart from Hitler, had more knowledge of what went on, or greater influence to affect its course? The conduct of government in the Nazi State, the gradual build-up of the organization for war, the calculated aggression, the atrocities—these things do not occur spontaneously or without the closest cooperation between the holders of the various offices of State. Men do not advance into foreign territory, pull the trigger, drop their bombs, build the gas chambers, collect the victims, unless they are organized and ordered to do it. Crimes on the national and systematic scale which occurred here must involve anyone who forms a part of the necessary chain, since without that participation, plans for aggression here, mass murder there, would become quite impossible. The Fuehrer principle by which the Nazis placed their bodies and their very souls at the disposal of their leader was the creation of the Nazi Party, and of these men. When I addressed you at the opening of this trial, I remarked that there comes a time when a man must choose between his conscience and his leader. No one who chose, as these men did, to abdicate their consciences in favour of this monster of their own creation can complain now if they are held responsible for complicity in what their monster did.

And least of all, Hess. The role Hess played in the Nazi Party is well established. But not content with creating the monster, he aided it in every aspect of its monstrous work.

I mention only one instance. You will recall, in connection with the extermination of the Eastern peoples, his direction to Party Officials to support recruitment for the Waffen SS. He said *(3245–PS, GB 267):*

> "It consists of National Socialists who are more suitable than other armed units for the specific tasks to be solved in the occupied eastern territories, owing to their intensive National Socialist training in regard to questions of race and nationality."

Ribbentrop's part, also, is clear. No one in history has so debauched diplomacy: no one been guilty of meaner treachery. But he, like the rest of them, is just a common murderer. Ribbentrop it was who, since 1940, had been directing the minions in his embassy and legations throughout Europe to accelerate the execution of such "political measures" that is, measures of racial extermination. It was not Himmler, but the Reich Foreign Minister who proudly reported to the Duce in February, 1943, that *(EC–265; 3688–PS; D–734):*

> "All Jews had been transported from Germany and from the territories occupied by her to reserves in the East."

His bald recommendations to Horthy two months later and the record of the conference called by Steengracht, his permanent Under Secretary of State, betray the meaning of these ghastly euphonisms *(D–736, GB 283; 3319–PS, GB 287):*

No one was more insistent on merciless action in the occupied territories than Ribbentrop. You will remember his advice to the Italians on how to deal with strikes *(D–740, GB 297):*

> "In such a case only merciless action is any good. In the occupied territories we would not get anywhere with soft measures in the endeavour to reach an agreement."

Advice which he proceeded to reinforce by referring with pride to the successes of "brutal measures" in Norway, "brutal action" in Greece, and in France and Poland the success of "Draconian" measures.

Were Keitel and Jodl less involved in murder than their confederates? They cannot deny knowledge or responsibility for the operations of the Einsatz Commandos with whom their own Commanders were working in close and cordial cooperation. The attitude of the High Command to the whole question is typified by Jodl's remark about the evacuation of Danish Jews *(D–547, GB 488):*

> "I know nothing of this. If a political measure is to be carried out by the Commander, Denmark, the OKW must be notified by the Foreign Office."

You cannot disguise murder by calling it a political measure.

Kaltenbrunner, as chief of the RSHA, must be guilty. The Reports of the Einsatz Commandos were sent to him monthly. You will remember the words of Gisevius, a witness for the defence *(3876-PS, USA 808):*

> "We asked ourselves whether it was possible that an even worse man could possibly be found after such a monster as Heydrich * * * Kaltenbrunner came * * * and things got worse every day * * *. We had the experience that perhaps the impulsive actions of a murderer like Heydrich were not as bad as the cold legal logic of a lawyer who was handling such a dangerous instrument as the Gestapo."

You will remember his description of those horrible luncheon parties at which Kaltenbrunner discussed every detail of the gas chambers and of the technique of mass murder.

Rosenberg's guilt as the philosopher and theorist who made the ground fertile for the seeds of Nazi policy is not in doubt, and it is beyond belief that he, as Reich Minister for Eastern Occupied Territories, did not know of and support the destruction of the ghettos and the operations of the Einsatz Commandos. In October, 1941, when the operations of those Commandos were at their height, one of Rosenberg's ministerial departmental chiefs was writing to the Reich Commissioner for the East in Riga informing him that the Reich Security Main Office had complained that he had forbidden the executions of the Jews in Libau and asking for a report upon the matter. On 15th November, the report comes back addressed to the Reich Minister for Occupied Eastern Territories *(3663-PS, USA 825):*

> "I have forbidden the wild execution of Jews in Liepaja because they were not justifiable in the manner in which they were carried out. I should like to be informed whether your enquiry of 31st October is to be regarded as a directive to liquidate all Jews in the East? Shall this take place without regard to age and sex and economic interests? * * * Of course, the cleansing of the East of Jews is a necessary task; its solution, however, must be harmonized with the necessities of war production."

Frank—if it is not sufficient to convict him that he was responsible for the administration of the Government General and for one of the bloodiest and most brutal chapters in Nazi history—has himself stated *(2233-C-PS, USA 271):*

> "One cannot kill all lice and all Jews in one Year."

It is no coincidence that that was exactly Hitler's language. And again *(2233-D-PS, USA 281):*

> "As far as the Jews are concerned, I want to tell you quite

> frankly that they must be done away with in one way or another * * * Gentlemen, I must ask you to rid yourselves of all feeling of pity. We must annihilate the Jews wherever we find them and whenever it is possible in order to maintain the structure of the Reich as a whole * * *. We cannot shoot or poison 3,500,000 Jews, but we shall nevertheless be able to take measures which will lead to their annihilation."

Can Frick, as Minister of the Interior, have been unaware of the policy to exterminate the Jews? In 1941 one of his subordinates, Heydrich, was writing to another—the Minister of Justice *(R–96, GB 268):*

> "It may safely be assumed that in the future there will be no more Jews in the annexed Eastern territories."

Can he, as Reich Protector for Bohemia and Moravia deny responsibility for the deportations of thousands of Jews from his territory to the gas chambers of Auschwitz, only a few miles across the frontier?

Of Streicher one need say nothing. Here is a man more responsible, perhaps, than any, for the most frightful crime the world has ever known. For 25 years the extermination of the Jews had been his terrible ambition. For 25 years he had educated the German people in the philosophy of hate, of brutality, of murder. He had incited and prepared them to support the Nazi policy, to accept and participate in the brutal persecution and slaughter of millions of his fellow men. Without him these things could not have been. It is long since he forfeited all right to live.

The fact that the defendants Schacht and Funk dealt chiefly with economics ought not blind the Tribunal to their important part in the general plan. Schacht says that he had clean hands in this matter. It is for you to say. Schacht played his part in bringing Hitler to power. He says he thought that Hitler was "a man with whom one could co-operate", and assured Hitler that he could always count on him "as your reliable assistant." He helped to consolidate the Nazi position and he was the main figure in collecting election funds from the industrialists *(EC–457, USA 619)*. It then became his task to provide the economic plan and machinery necessary to launch and maintain aggression. He knew the policy about the Jews, he knew the methods Hitler was using to build up his power, he knew the ultimate aim was aggression. But he continued to play his part. Messersmith has summed up his work *(EC–451, USA 626):*

> "Yet by Schacht's resourcefulness, his complete financial ruthlessness and his absolute cynicism Schacht was able to maintain and to establish the situation for the Nazis. Unques-

> tionably, without this complete lending of his capacities to the Nazi Government, and all of its ambitions it would have been impossible for Hitler and the Nazis to develop an armed force sufficient to permit Germany to launch an aggressive war."

The fact that that was in Schacht's mind was shown at a very early date most clearly in a secret report issued by his Ministry of Economics on 30th September 1934. I have already referred to his Deputy's report showing the amazing detail in which plans and preparations for the management of German economy in time of war had been worked out before Schacht resigned in 1937 *(EC–128, USA 623; EC–258, USA 625).*

It is not surprising that on Schacht's 60th birthday the then German Minister of War, von Blomberg, said to him:

> "Without your help, my dear Schacht, none of this armament could have taken place."

In the witness box Schacht says that as early as the second half of 1934 and the first half of 1935 he found he was "wrong in thinking" that Hitler would bring the "revolutionary forces" of Nazism into the regular atmosphere and he discovered that Hitler did nothing to stop the excesses of individual Party Members or Party Groups. He was pursuing a "policy of terror".

That accords very closely with Schacht's statement to the American Ambassador in September 1934 *(EC–451, USA 626):*

> "* * * the Hitler Party is absolutely committed to war and the people too are ready and willing. Only a few Government officials are aware of the danger and are opposed."

Schacht's further suggestions that his purpose in the Government was to be critical and was to act as a brake are as we submit, impossible to reconcile with his own actions. He need not have become Minister of Economics according to his own account, but he did so nonetheless. In May 1935, the month in which he undertook his task as General Plenipotentiary for War Economy, "to put all economic forces in the service of carrying on the war and to secure the life of the German people economically", he wrote to Hitler *(1168–PS, USA 37):*

> "All expenditures which are not urgently needed in other matters must stop and the entire, in itself small, financial power of Germany must be concentrated toward the one goal—to arm."

In May 1936 he told a secret meeting of Nazi Ministers that his programme of financing armaments had meant "the commitment of the last reserve from the beginning". He said he would continue to work since he stood "with unswerving loyalty to the

Fuehrer because he fully recognises the basic idea of National Socialism" *(1301-PS, USA 123)*.

In 1937, when Hitler bestowed the Golden Party badge upon him, Schacht appealed to all his colleagues (EC-500):

> "Further to devote with all their hearts their entire strength to the Fuehrer and the Reich. The German future lies in the hands of our Fuehrer."

The mercy killings; the persecution of the Jews. These things must have been known at that time. Were his hands so clean?

In the light of these quotations it is not unexpected to find Ambassador Dodd, whom Schacht counted among his friends, recalling in his diary on 21.12.37 *(EC-461, USA 58):*

> "Much as he dislikes Hitler's dictatorship he (Schacht) as most other eminent Germans wishes annexation, without war if possible, with war if the United States will keep hands off."

These quotations, in our submission, make it clear that Schacht knew well that Hitler's aim was war very much earlier than he himself admits. He does admit, however, that he knew that the plot to discredit General von Fritsch meant war. Despite that knowledge, on 9.3.38, he accepted the appointment as Reichsbank President for an additional four years. He joyously took part in the acquisition of the former Austrian National Bank on 21.3.38 and on 7.6.39 wrote to Hitler *(EC-369, USA 631):*

> "From the beginning the Reichsbank has been aware of the fact that a successful foreign policy could be attained only by the reconstruction of the German Armed Forces. It therefore assumed to a very great extent the responsibility to finance the rearmament in spite of the inherent dangers to the currency. The justification thereof was the necessity—which pushed all other considerations into the background—to carry through the armament at once, out of nothing and furthermore under camouflage which made a respect-commanding foreign policy possible."

These words, and others like them, are merely putting in fine phrases Schacht's knowledge that, if the proposed victims resisted, Hitler was prepared and would be able to plunge into war conditions to achieve his aims. Schacht's intellect and international position only increased the cynical immorality of his crimes.

Moreover Schacht must face these facts. The Tribunal has seen evidence of the film which showed his sycophantic trotting beside Hitler and swarming over him in 1940. Long before 1943 he must have known of the treatment of the Jews and the reign of terror in occupied countries. Yet until 1943 Schacht remained a Minister without Portfolio and at all events lent his name and weight to this regime of horror. Should anyone be left to boast that he did this with impunity?

Funk carried on Schacht's work. He had already rendered invaluable service to the conspirators by his organization of the Ministry of Propaganda. From 1938 on he was Minister of Economics, President of the Reichsbank and Chief Plenipotentiary for Economics, mobilising economy for aggressive war well knowing the Nazi plans for aggression. We find him in every field; attending Goering's conference on 12 November 1938, the meeting of the Reich Defense Council in June 1939, advising on decrees to be issued against the Jews at the former and the employment of concentration camp and slave labor at the latter. The final proof of the welcome with which he viewed aggression is found in his letter to Hitler on the 25th August 1939, the day before the invasion of Poland had been said to begin; he said *(699–PS, GB 49):*

> "How happy and how grateful we must be to you to be favored to experience these colossal and world-moving times, and that we can contribute to the tremendous events of those days. General Field Marshal Goering informed me last night that you—my Fuehrer—have approved in principle the measures prepared by me for financing the war, for setting up the wage and price system and for carrying out the plan for an emergency contribution.
>
> With the proposals worked out by me regarding a ruthless choking of any unessential consumption and any public expenditure and project not necessary for war, we will be able to meet all financial and economic demands without any serious reverberations."

His part during the war needs no further mention than reference to the minutes of the Central Planning Board and to his arrangement with Himmler for the exploitation of the S.S. loot which, as he knew, came in truckloads from Auschwitz and the other concentration camps to the vaults of the Reichsbank. The Tribunal will also remember the document which shows that his Ministry of Economics received enormous quantities of civilian clothing from these unhappy victims *(1166–PS, USA 458).*

Was Doenitz ignorant, when he addressed to a Navy of some 600,000 men, a speech on the "spreading poison of Jewry"? Doenitz, who thought fit to circulate to the Naval War Staff Hitler's directive for dealing with the general strike at Copenhagen—"terror should be met by terror"—and asked for 12,000 concentration camp workers for the shipyards, recommending collective reprisals for Scandinavian workers in view of the efficacy of similar methods in France *(2878–PS, GB 187; C–171, GB 210; C–195, GB 211).*

Are Raeder's hands unstained with the blood of murder? As early as 1933, to use his own words *(C–135, GB 213):*

> "Hitler had made a clear political request to build up by the 1st April 1938 armed forces which he could put in the balance as an instrument of political power."

When, therefore, he received successive orders to fight if war resulted from Hitler's foreign policy, he knew very well that war was a certain risk if that policy went awry. Again and again he had this warning, first when Germany left the Disarmament Conference, again at the time of the negotiations for the Naval Agreement in 1935, at the time of the Rhineland and later when he attended the famous Hossbach conference. He has tried to persuade this Tribunal that he regarded Hitler's speeches at these meetings as mere talk, yet we know that they gave Neurath a heart attack. His old Service comrades, von Blomberg and von Fritsch, who were unwise enough to object at the Conference which sealed the fate of Austria and Czechoslovakia, were dealt with in a manner which, in his own words, shook his confidence not only in Goering but in Hitler as well.

Can Raeder have been ignorant of the murder of thousands of Jews at Libau in the Baltic? You will remember the evidence that many were killed in the naval port and the facts reported by his naval officers at the Local Headquarters to Kiel. We now know from the report of the Commando which dealt with the Jews of Libau that at the end of January 1942 they had accounted for 11,860 in that district alone. Raeder who, on Heroes Day, 1939, spoke of the clear and inspiring summons to fight international Jewry. Do you really believe, when he was always helping individual Jews, he had never heard of the horrors of concentration camps or the murder of millions? Yet he still went on *(D–841, GB 474; L–180, USA 276; D–653, GB 232).*

Von Schirach. What need one say of him? That it were better that a millstone had been placed round his neck * * *? It was this wretched man who perverted millions of innocent German children so that they might grow up and become what they did become—the blind instruments of that policy of murder and domination which these men carried out.

The infamous "Heu Aktion" by which between forty and fifty thousand Soviet children were kidnapped into slavery was a product of his work. You will remember the weekly S.S. reports on the extermination of the Jews found in his office. *(031–PS, USA 171; 345–PS, USA 869)*

What is the crime of Sauckel whose Gau contained the infamous camp of Buchenwald? Sauckel may now seek to put a gloss on his order to shanghai Frenchmen, to deny that he advocated the hanging of a Prefect or a mayor to crush opposition, to say that references to ruthless action referred to interdepartmental disputes and that reformatory labor camps were purely educational institutions. You who have seen the documents which attest the horrors perpetrated in what we are now told was the produce of an emergency—the urgent need for workers to feed the Nazi machine, you who have heard and read of the conditions in which 7 million men, women and children torn from their homes were dragged into slavery at his orders can need no further proof of guilt.

Papen and, if mercy can survive his record in Czechoslovakia, Neurath, are in like case with Raeder. Like him they professed old family and professional integrity, factors which carry with them a great responsibility from which men like Ribbentrop and Kaltenbrunner are free.

Within 18 months of putting Hitler in power Papen knew that Hitler's Government meant oppression of opponents, ill-treatment of the Jews and persecution of the Churches including his own. His recent political friends had been sent to concentration camps or killed, including men like von Schleicher and von Bredow. He had himself been arrested, two members of his staff killed and another compelled to witness killing. None of these things were hidden from von Neurath, yet he remained in office.

In 1934 Papen was writing sycophantic letters to Hitler and shortly afterwards we find him in Austria working for a man he knows to be a murderer undermining a regime for which he professed outward friendship. Even after the Anschluss he was still working for a regime which he knew used murder as an instrument of policy and after losing yet another secretary by murder he was ready to accept a post in Turkey. The Concordat with his own Church which he had himself negotiated is treated as "a scrap of paper" to use his own words, and Catholics from Archbishops to simple believers were outraged. He has said

> "Hitler was the greatest crook that ever lived".

The case for the Prosecution in a sentence is that, knowing this only too well, von Papen gave Hitler his support and co-operation because his greed for power and office made it "better to reign in Hell than to serve in Heaven."

Defense Counsel has sought to portray Papen as an advocate of Peace. If he preferred to attain the objects of the conspiracy by the methods of assassination, bullying and blackmail rather than open war, the reason may be that provided by him in his own evidence, namely that he feared that: "If a World war were to break out, Germany's situation would be hopeless".

As to Seyss-Inquart, you will remember Goering's instructions to him on the 26th March, 1938, to institute anti-semitic measures in Austria, followed by the Progress Report on 12th November by one of his officials. As far as concerns the Jews in the Netherlands, he admits that he knew they were being deported but says he was powerless to stop it as it was ordered from Berlin. He has further said that he knew they went to Auschwitz but he says he was sent there to enquire about them, was told they were well off and arranged for them to send mail from Auschwitz to Holland *(3460–PS, USA 437; 1816–PS, USA 261).* It is likely that Seyss-Inquart who admits knowledge of large-scale crimes against the Jews in the Netherlands, for example

> "a drive to force the Jews to be sterilised",

who admits that many and grave excesses occurred in the Netherlands concentration camps and indeed that in wartime he

> "considered that almost inevitable",

who pleads that in comparison with camps elsewhere

> "it was perhaps not quite so bad in the Netherlands",

is it possible that he was really deceived as he says into thinking the people in Auschwitz were

> "comparatively well off"?

One comes next to the defendants Speer and Fritzsche who have appeared in this trial as experts. Speer has admitted that his responsibility for conscription of labour helped to bring up the total number of workers under him to 14,000,000. He stated that when he took over office in February 1942 all the perpetrations or violations of International Law of which he could be accused had already been realised. Nevertheless he went on to say

"The workers were brought into Germany against their will. I had no objection to their being brought to Germany against their will. On the contrary during the first period until autumn of 1942 I certainly used my energy that as many workers as possible should be brought to Germany in this manner." Further, workers were placed at his disposal by Sauckel and he was responsible for their allocation priorities.

He acknowledged the receipt of 1,000,000 Soviet labourers in August 1942. On 4–1–44 he demanded 1,300,000 workers for the coming year. Speer produced no defense of this conscription of labour but he did assert that from 1943 he had supported the retention of French workers in France, which is a mere matter of mitigation. The moderation of Speer's manner ought not hide the fact that this policy, which he cheerfully adopted and applied was one that meant the most appalling misery and suffering for millions of Soviet and other families. *(R–124, USA 179; 1292–PS,* USA 225) It displays once again the complete disregard of the fate of other people which runs like a sordid thread through the evidence in this trial, and no moral awakening regarding the interest of the German people (I repeat "the German People") at the end of the war, can offset the participation in this horrible action.

With regard to the treatment of foreign workers Speer's general point was that the evidence for the Prosecution is simply that of individual bad instances and should not be taken as the general condition. If it were the general condition he would accept responsibility. The Prosecution submit that their evidence, viewed as a whole, is conclusive evidence of general bad conditions.

Neurath who has told the Tribunal that he joined Hitler's Government to keep it peace-loving and respectable, knew within a few weeks that the Jews were being persecuted, that reputable foreign papers and reputable German papers too for that matter were quoting official figures of ten to twenty thousand internees. He knew that the opposition, the Communists, the Trade-Unionists and Social Democrats were being destroyed as political forces. The Blood Purge followed yet he went on and seconded Hitler in his breaches of the Treaty of Versailles. We have the evidence of Paul Schmidt that the murder of Dollfuss and the attempted Putsch in Austria seriously disturbed the career personnel of the Foreign Office whilst they regarded the Mutual Assistance Pact between France and the Soviet Union as a further very serious warning as to the potential consequences of German foreign policy.

"At this time the career officials at least expressed their reservation to the Foreign Minister Neurath. I do not know whether or not Neurath in turn related these expressions of concern to Hitler." *(3308–PS, GB 288)* Yet when Raeder was issuing orders about the danger of showing "enthusiasm for war", von Neurath would have you believe that he had failed to realise its growth. He, as much as Raeder, saw and took part in the events which followed the secret meetings, the treatment of von Blomberg and von Fritsch, he it was at the time of the Anschluss who, though no longer Foreign Minister, gave the support of a name, not yet notably tarnished, to Hitler's action by transmitting untruths in denial of the British Note and by reassuring the Czechs. That reassurance ought never be forgotten—there can be few things more grimly cynical than von Neurath who had listened to the Hossbach speech solemnly telling M. Mastny that Hitler would stand by the Arbitration Treaty with Czechoslovakia. As soon as Hitler had marched into Prague, he it was who became protector of Bohemia and Moravia. You have heard his admission that he applied all decrees for the treatment of the Jews which had appeared in Germany between 1933 and 1939. *(C–194, USA 55)*

Fritzsche's work was to organise the entire German Press so that it became "a permanent instrument of the Propaganda Ministry". Propaganda was a most potent factor in all Nazi strategy. Here in turn that factor made all the press its most potent weapon. The fact that he knew and participated in the use of his organisation is shown by his attempt to whitewash the successive propaganda actions which led up to each of the various aggressions mentioned in his affidavit. As he said *(3469–PS, USA 721):*

> "All news checked by me was full of tendency while not invented".

It is incredible that when he was called upon time after time to conduct what was specifically referred to as actions and when each time he saw the practical results he did not realise the dishonesty with which the German policy was being conducted or that the aim of the Nazi Government was aggressive war. His personal ability as a broadcaster caused him to become virtually an official commentator. To quote his own words:

> "May I add that it is known to me that in the far corners of German colonies abroad my radio speeches were, shall we say, the political comments."

He has emphasized that in these comments he had a free hand. Is it to be doubted that this was because he was prepared to broadcast whatever lie Goebbels wanted? He himself says, in dealing with the uses to which his influence was put:

> "Again and again I was requested to awaken hatred against individuals and against systems."

You have seen a sample in his broadcast on the Athenia. As early as 1940 he broke far enough away from the restraint which he tried to picture in the witness box to call the Poles "under people" and "beasts in human form" *(D–912, GB 526).*

On the 18th December 1941 he referred to the fate of European Jews in the following words *(3064–PS, USA 723):*

> "The fate of Jewry in Europe has turned out to be as unpleasant as the Fuehrer predicted it would be in the event of a European war. After the extension of the war instigated by the Jews, this unpleasant fate may also spread to the New World, for you can hardly assume that the nations of the New World will pardon the Jews for the misery of which the nations of the Old World did not absolve them."

There were few more dreadful or hate-provoking accusations among the whole miasma of Nazi lies against the Jews, than that of instigating the war which brought such misery to humanity, yet this educated and thoughtful defendant deliberately made it.

It is difficult to imagine any more fulsome or callous adulation of Hitler's aggression than his speech on 9th October 1941 which contained the words *(3064–PS, USA 723)*:

> "* * * and we are particularly grateful for those lightning victories because—as the Fuehrer emphasized last Friday—they gave us the possibility of embarking on the organization of Europe and of lifting the treasures of this old continent even in the middle of a war, without having to keep millions and millions of German soldiers on guard * * *."

Perhaps the key to the concealment of war crimes by Fritzsche is the basic principle of his propaganda.

> "But decisive for us for such a news machine is not the detail but the final fundamental basis on which propaganda is built. Decisive is the belief in the purity of the leaders of the State on which every journalist must rely."

Fritzsche maintained until practically the very end the most excellent relations with Dr. Goebbels. When the Tribunal consider the picture of total extremism and violent anti-semitism which the other defendants have painted of Goebbels it is difficult to imagine that the worship of his closest collaborator could have been based on innocent ignorance.

The prosecution submit that it is laughable that such a man should try and persuade you that it was in ignorance of these horrors that he went on exhorting and persuading the German people to tread the path to their doom. Fritzsche shares with Streicher, Rosenberg, Schirach the responsibility for the utter degradation of the German people so that "they shut the gates of mercy on mankind." It was because of them that such scenes as that in the Jewish cemetery at Schwertz on that Sunday morning in October 1939 occurred, when 200 of Keitel's decent Wehrmacht soldiers watched without a murmur the murder of that lorry-load of women and children. You will remember the story as three of them have told it *(UK–38)*:

> "On Saturday evening I heard from a comrade in my company that on that day a number of Poles had been shot in the Jewish Cemetery. The talk about these facts went through the whole Company like lightning. On the following morning * * * I went to the cemetery at 8 o'clock with two of my comrades from my Company. There I found a great number of soldiers belonging to the Companies of our Battalion and also from troops who were stationed in Schwetz. There were roughly 200 to 300 soldiers at the cemetery * * *. At 9:30

> hours the bus arrived loaded with women and children. I stood near the mass graves which had been prepared beforehand and I saw a woman holding one little boy by the right hand and one or two girls by the other, walking from the bus to the grave. I then saw a few seconds later how the woman stood in the grave and one of the boys was handed down to her by the SS men. We then turned round and left because I did not want, nor could, witness the shooting of these children. Immediately after that I heard the shots * * *. Shortly after that another bus arrived, loaded with Poles. An SS man shouted to the soldiers who stood around "Now you can all come in and watch." Then I went in once more and saw a group of four men step into the same mass grave in which the woman had been shot previously. They were ordered to lie down and then they were liquidated by shooting through the back of their heads from a very short distance. Flesh, brains and sand were flung around over the grave and dirtied the uniforms of the soldiers who were watching. About eighty soldiers stood too close to the edge of the grave. These happenings could also be seen by the civilian population from the windows of their houses opposite the Jewish cemetery."

You are asked to believe that these 21 Ministers and loading officers of State did not know about these matters—were not responsible. It is for you to decide.

Years ago Goethe said of the German people that some day fate would strike them * * *

> "would strike them because they betrayed themselves and did not want to be what they are. It is said that they do not know the charm of truth, detestable that mist smoke and berserk immoderation are so dear to them, pathetic that they ingenuously submit to any mad scoundrel who appeals to their lowest instincts, who confirms them in their vices and teaches them to conceive nationalism as isolation and brutality."

With what a voice of prophecy he spoke—for these are the mad scoundrels who did those very things.

Some it may be are more guilty than others; some played a more direct and active part than others in these frightful crimes. But when these crimes are such as you have to deal with here—slavery, mass murder and world war, when the consequences of the crimes are the deaths of over 20,000,000 of our fellow men, the devastation of a continent, the spread of untold tragedy and suffering throughout the world, what mitigation is it that some took less part than others, that some were principals and others mere accessories. What matters it if some forfeited their lives only a thousand times whilst others deserved a million deaths?

In one way the fate of these men means little: their personal power for evil lies forever broken; they have convicted and discredited each other and finally destroyed the legend they created round the figure of their leader. But on their fate great issues must still depend, for the ways of truth and righteousness between the Nations of the world, the hope of future international cooperation in the administration of law and justice are in your hands. This trial must form a milestone in the history of civilization, not only bringing retribution to those guilty men, not only marking that right shall in the end triumph over evil, but also that the ordinary people of the world (and I make no distinction now between friend or foe) are now determined that the individual must transcend the State. The State and the law are made for man, that through them he may achieve a fuller life, a higher purpose and a greater dignity. States may be great and powerful. Ultimately the rights of men, made as all men are made in the image of God, are fundamental. When the State, either because as here its leaders have lusted for power and place, or under some specious pretext that the end may justify the means, affronts these things, they may for a time become obscured and submerged. But they are imminent and ultimately they will assert themselves more strongly still, their imminence more manifest. And so, after this ordeal to which mankind has been submitted, mankind itself—struggling now to reestablish in all the countries of the world the common simple things—liberty, love, understanding—comes to this Court and cries "These are our laws—let them prevail."

Then shall those other words of Goethe be translated into fact, not only, as we must hope, of the German people but of the whole community of man:

> "Thus ought the German people to behave * * * giving and receiving from the world, their hearts open to every fruitful source of wonder, great through understanding and love, through mediation and the spirit—thus ought they to be; that is their destiny."

You will remember when you come to give your decision the story of Gruber, but not in vengeance—in a determination that these things shall not occur again.

"The Father"—do you remember?—pointed to the sky, "and seemed to say something to his boy".

CLOSING ARGUMENT FOR THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC

by

M. DUBOST, DEPUTY CHIEF PROSECUTOR

with introduction by M. Champetier de Ribes, Chief Prosecutor

Introduction

For the last nine months more than fifteen years of history have been evoked at this bar. Germany's archives, those the Nazis were unable to burn before their defeat, have yielded us their secrets. We have heard numerous witnesses, whose recollections would have been lost to history but for the present trial.

All the facts have been submitted with the strictest objectivity, leaving no room for passion nor even for sensibility. The Court has excluded from the debate anything that, in its opinion, seemed insufficiently demonstrated, anything that might have appeared dictated by a spirit of vengeance.

For the interesting point of these trials is above all that of historical truth. Thanks to them, the historian of the future, as well as the chronicler of today, will know the truth about the political, diplomatic and military events of the most tragic period of our history; he will know the crimes of Nazism as well as the hesitancies, the weaknesses, the omissions of the pacific democracies. He will know that the result of twenty centuries of civilization, which believed itself to be eternal, nearly collapsed before the renewed onslaught of a new form of the ancient barbarism, all the more savage for being more scientific.

He will know that technical progress, that the modern means of propaganda, that the devilish processes of a police defying the most elementary rules of humanity, have enabled a small minority of criminals to distort within a few years the collective conscience of a great people, and to transform the nation, which Dr. Sauter alluded to at the end of his speech in favor of von Schirach stating that it was faithful, fair, and full of virtue, to transform the nation into that of Hitler, of Himmler and of Goebbels, to mention only the dead.

He will know the crime of these men has been to have conceived the most gigantic plan of world domination and to have wished to realize it by all and every means. By every means, that is to say without a doubt by the breaking of the given word and by the unleashing of the very worst kind of war of aggression, but particularly by the methodical, scientific extermination of millions of human beings and specifically of certain national or religious groups, the existence of which hampered the hegemony of the Germanic race.

This crime is so monstrous, so unknown in history up to the birth of Hitlerism, that the neologism of "genocide" had to be created to define it, that it required an accumulation of documents and testimonies to make it believable.

That, to the shame of the times we live in, this crime was possible, the perfect collaboration of the four Public Prosecutors has permitted the proof to be given, and, within the limits of the counts of the indictment she reserved for herself, France believes she has done her part in the common task.

While the defendants and their defense counsels have spoken much before the Tribunal regarding the protection which the innocent civilian population is entitled to, as of an obvious principle, it has been established by us that the defendants have deliberately violated this principle by treating these civilian populations with utter disregard for human life. Is it necessary to evoke the terrible sentence pronounced by the defendant Keitel "human life is worth less than nothing in the occupied territories."

Renewing a tradition which symbolizes the most primitive practices of warfare, the defendants reinstated the system of hostages. They put their signatures to general orders to capture and execute thousands of martyrs. In France alone 29,000 hostages were shot. We know that the fighters of the resistance, whose patriotism is now being admired by the defendants, have been massacred, tortured, interned for the purpose of their slow extermination; that, under the pretext of reprisals, by the carrying out of orders or by the committing of individual cruelties which were covered by the complicity of the authorities, civilians chosen absolutely at random have been executed, that entire villages were burnt down: Oradoursur-Glane, Maille in France, Putten in Holland have not yet risen from their ruins.

We all have in mind the atrocious orders issued in the operational sector of Marshal Kesselring to combat partisan activity by terror. We saw there one officer order as a reprisal the execution of fifty, of one hundred, or even of all the men of a region as a reply to isolated acts directed against the German army. The carrying out of that order was authorized on the basis of instructions by the commander of the theater of operations, who himself acted on more general instructions issued by the defendant Keitel. This example illustrates the perfect collaboration of the National

Socialist Cadre and the State and pleads, if it is still necessary, for the joint responsibility of the leading personalities of the regime.

We know that thousands of men have been torn away from their homes and forced to produce arms against their own country.

The bad treatment given to the soldiers hurt us even more, because Germany, be it the traditional Germany, the Nazi Germany in power, or the same Germany now presenting the poor argument of its defense in the prisoners' docks, has always claimed to adhere to the universal rules of military honor and to the respect due to all soldiers. And, in spite of this, we have seen Keitel himself, the champion of these ideas to a point that he brought it up again at the conclusion of his testimony in the witness box, urge the Wilhelmstrasse and the co-defendant Goering to approve his criminal propositions concerning the treatment of aviators who fell into their hands.

Documents like the testimony of Grunner admit of no doubt that the criminal orders to exterminate and lynch aviators had been issued in the regular manner and been transmitted to the agencies charged with their execution.

No doubt is possible as to the principles involved in the drawing of the order concerning the commandos, nor as to the execution of this order in the various theaters of operations. The Prosecution has furnished a striking collection of evidence on this point.

Our concern became even stronger when we acquired the certitude that cruel orders had been issued to execute or intern for the purpose of their extermination men who had already been reduced to a state of helplessness by their detention in a prisoner of war camp.

We have in mind the sinister affair of Sagan, often evoked in the course of this trial. The defendants themselves attempt only to evade their personal responsibility without denying the atrocity nor the truth of the facts. We have shown how the refractory escaped officers and non-commissioned officers, whose past records and attitude demonstrated their moral force, had been exterminated by the "action" Kugel.

Finally, Nazi Germany has unveiled her plan of expansion and world domination by systematically organizing the extermination of the populations whose territories she occupied.

This action was carried out at first, as we have proved, by the political economic and moral destruction of the occupied countries. The means used for that purpose were the brutal or gradual seizure of sovereignty, or the carefully worked out interference of the German authorities in all domains, the creation and implacable execution of a program of economic pillage in order to achieve the exhaustion of the occupied country and to put it at the absolute mercy of the occupant, and as a result of the Nazification of the State and the people, together, with the destruction of cultural and moral values.

But the methodical extermination was also carried out in the material domain of the systematic massacring of people.

Is it necessary to evoke the gigantic extermination of groups supposedly impossible of assimilation with the National-Socialist world, the immense graveyard of the concentration camps, where 15,000,000 people perished, the abominable achievements of the "Einsatzgruppen" (groups for special commitment) described with irrefutable exactness by General Ohlendorf.

We think we have also established the proof of those pernicious extermination attempts which upon examination, prove to be one of the most perfect expressions of the policy followed by the defendants. I am referring to the deliberate under-nourishment to which these non-Germans were subjected who fell under Nazi authority under whatever circumstance entire nations starved out in reprisals, civilians in occupied territories ruthlessly rationed in the framework of the pillage of the territory. The Tribunal recalls what Goering says to the Gauleiters, Number 170 USSR, "It is absolutely immaterial to me if you tell me that your people are collapsing for hunger. Let them collapse, so long as no German starves." And again with reference to Holland: "It is not our mission to feed a nation which spiritually rejects us. If its people are so weak that they cannot as much as raise a hand where they are not employed to work for us, so much the better * * *"

Famine, physiological misery and the resulting reduction of vital potential, all this, as well as the slow exhaustion of political internees and prisoners-of-war, is included in the plan of extermination of populations to clear German vital space.

The same idea governs the detention in captivity or semicaptivity in the case of labor deportees, of young healthy men whose presence at home was necessary to the future of the country.

All this has been confirmed to us by the latest census results.

These reveal to us that every German occupied country has registered a decrease in population of 5 to 25 per cent whereas Germany is the only country in Europe which shows an increase in population.

We have proved all these crimes. After the submission of our documents the hearing of the witnesses, after the projection of films which the defendants themselves could not behold without a shudder of horror, nobody in the world can possibly claim that the extermination camps, the executed prisoners, the slaughtered populations, the mounds of corpses, the human herds maimed in flesh and soul, the instruments of torture, gas chambers and crematories, that all these crimes existed only in the imagination of anti-German propagandists.

Indeed, none of the defendants have challenged the truth of the facts we have reported. Since they cannot deny them, they merely try to clear their responsibility by burdening the memory of those of their accomplices who committed suicide.

"We knew nothing of those horrors", they say, or again: "we did everything we could to prevent them but Hitler, who was all-powerful, commanded and did not allow disobedience or even resignation from office".

What a poor defense! Whom can they possibly persuade that they alone were ignorant of that which the whole world knew and that their monitoring stations never reported to them the solemn warnings which the heads of the United Nations gave to the war criminals by radio.

They could not disobey Hitler's orders, they could not even resign from office? Indeed! Hitler could doubtless govern their bodies but not their minds; by disobeying they would perhaps have lost their lives but they would have saved their honor at least. Cowardice has never been an excuse, nor even an extenuating circumstance.

The truth is that all knew perfectly—from having taken part at its elaboration—the doctrines of National Socialism and its will for universal domination, that they well knew to what monstrous crimes it led its adepts and its performers with disastrous results, that they had accepted its responsibilities as they profited by the material and moral advantages which it lavished upon them.

But they thought themselves sure of immunity because they were certain of victory, and that before the triumph of force, the question would not be asked: was the cause just? They persuaded themselves as they had done after the war of 1914, that no international jurisdiction could ever pursue them. They thought that Pascal's pessimistic judgment on human justice in international relations would always be true: "Justice is liable to argument. Force is easily recognizable without argument. So being unable to make strong what is right, one has made right what is strong."

They are mistaken. Since Pascal, slowly but surely, the notion of Moral and of Justice is born, and has taken shape in the international custom of civilized nations and, in order to preserve the world from barbary, the victory of the United Nations was cause that, today strength runs together with justice, which is referred to in the Charter establishing your Tribunal and that your sentence will sanction.

The Court will no doubt remember that in conclusion of its enumeration of the charges of the Prosecution, the French Prosecution has stated precisely the responsibility of all the defendants, "guilty of having, in their capacity of principal Hitlerite leaders of the German people, conceived, desired, ordered or only tolerated by their silence that murders or other inhuman actions be systematically committed, that violence be systematically exerted on prisoners-of-war or civilians, that devastation without justification be systematically committed as a deliberate means of accomplishing their design to dominate Europe and the world by terror, and to exterminate entire populations, so as to extend the living space of the German people."

It is only left to us to demonstrate that the debates which have taken place before you, have only confirmed and reinforced the accusations and the qualifications, that at the beginning of the proceedings we already formulated against the big criminals, whom, in execution of the Charter and to satisfy the exigencies of Justice the United Nations have deferred to your Court.

Personal Responsibility of the Defendants

I am recalling the facts set forth by the French Delegation. This reminder was needed to establish our contribution to the trial. We do not intend, however, to disjoin our work from the whole work of the trial, such as results from the expositions of the other three Delegations and the debates. It is on the basis of this work as a whole that we shall proceed with our indictment and examine the personal responsibility of the defendants.

Reviewing the deeds charged against them one by one, they are found to be murder, indictable theft, and other serious offenses against persons and their property which are always punishable in civilized countries. M. de Menthon has in his introductory address shown this already.

The defendants did not actually commit the crimes, they were satisfied with ordering them. In the technical sense of our French law, they are therefore accomplices. Making allowance for certain differences, mostly differences of form only, in most countries the perpetrators of serious offences and their accomplices are punished by capital punishment or very severe penalties, forced labor, solitary confinement. That is the Anglo-Saxon practice. This also follows in France from application of Articles 221 ff, 379 ff, 59 ff of the French Penal Code. In Germany Article 211 punishes homicide, Article 212 murder, Articles 223 to 226 tortures, Article 229 poisoning and murder by gas. Article 234 covers slavery subjection to serfdom, incorporation with a view to military service in a foreign country; Articles 242 and 243 cover theft and pillage; Article 130 provoking the population to violence. The case of accomplices and of co-ordinators is covered by Articles 47 and 49.

Similar arrangements exist in Soviet legislation.

That, as the leaders of the Reich, as the accomplices of the Fuehrer, these men are all responsible for the crimes perpetrated under their rule, that before the universal conscience their responsibility is heavier than that of the common executioners, two defendants: Frank and Schirach have admitted it:

Frank said:

> "I never created extermination camps for Jews. I never favored the existence of these camps either, but if Adolf Hitler placed this terrible responsibility on the shoulders of his people, this responsibility rests also on me, for we fought the Jews for years, we made all kinds of statements against them * * *"

and these last words of Frank condemn, with him, all those who pursued the campaign of instigation against the Jews in Germany or elsewhere. Let us remember Frank's answer to the question, put to him by his Defense Counsel regarding the charges stated in the indictment. It holds good against all the defendants and still more against those who were closer to Hitler than he was:

> "Regarding the charges I will only say this: I request the Tribunal to decide as to the extent of my culpability at the end of this trial, but I should like to say personally that from all that I saw in the course of these five months of trial, which has given me a general survey of all the horrible things that have been committed, I feel thoroughly guilty."

Von Schirach on his part stated:

> "Here is my fault for which I am answerable before God and the German people. I brought up our youth for a man whom in the course of many long years I considered, as the chief of our country. For him I trained our youth that considered him as I myself did. It is my fault for having trained our youth for a man who was an assassin, who killed millions of people * * * Any German who after Auschwitz still adheres to the social policy is guilty * * * I consider it my duty to say so".

Such cries of conscience were rare in the course of this trial and more frequently, copying Goering's quibbling vanity, the defendants tried to justify themselves in the name of a policy of Neo-Machiavellism which would free the leaders of the State of all personal responsibilty. Let us note only that no such provisions are made anywhere in the laws in any of the civilized countries, and that on the contrary the arbitrary and aggressive acts aimed at individual liberty, at Civic rights or at the constitution are more severely punished when they have been committed by a public functionary, a Government official of higher rank, and that the severest punishment is meted out to the Ministers themselves (Articles 114 and 115 of the French Penal Code).

But let us limit ourselves on this point. Our only aim is to recall that the main facts charged against the defendants may be analysed separately as violations of the criminal laws of any one of the positive internal laws of all civilized countries, or else of that common international law which M. de Menthon has already interpreted and which has been submitted here as the root of international custom, and that thus the punishment of each of these facts is not without a foundation, but that on the contrary, even restricting one's self to this analytical preview, the gravest penalties have already been incurred.

It is, however, necessary to go beyond that, for while it does not omit any culpable fact as such, the analysis of the defendant's guilt in the light of internal laws is only a first approximation which would enable us to prosecute the defendants merely as accomplices and not as principal perpetrators. And we are anxious to demonstrate that indeed they were the principal culprits.

We hope to succeed in this by developing the following three propositions:

1. The acts of the defendants are the elements of a criminal political plan.

2. The coordination of the various departments which were headed by these men implies a close cooperation between them for the realization of their criminal policy.

3. They must be judged as acting in behalf of this criminal policy.

The Acts of the Defendants Are the Elements of a Criminal Political Plan

The defendants have practised widely different activities. As politicians, diplomats, soldiers, sailors, economists, financiers, jurists, or propagandists, they represent practically all the forms of liberal activity. Without any hesitation, however, one is able to recognize the tie that binds them together. All have placed the best—or the worst of themselves—at the service of the Hitlerite

State. To a certain extent they represent the brains of that state. By themselves alone they did not represent it entirely. Nevertheless, nobody can doubt that they were an important part of it. They conceived the policy of that state. They wanted their thought to become action and all in scarcely differing degrees have contributed toward its realization. This is true whether it applies to Hess, to Goering, professional politicians who admit never having practised any other profession than that of agitator or statesman, or to Ribbentrop, to Neurath, to Papen, the diplomats of the regimes, or to Keitel, to Jodl or Doenitz or Raeder the military men to Rosenberg, to Streicher, to Frank, to Frick, the thinkers (if that term can be applied to them) of the ideology of the system; to Schacht, to Funk, the financiers without whom the system would have failed and collapsed before it was able to rearm, to jurists like Frank, to publicists and propagandists like Fritzsche, and, again, Streicher, devoted to the diffusion of the common idea or again to technicians like Speer or Sauckel, without whom the idea never could have been developed into action as it has been, to policemen such as Kaltenbrunner who subdued minds by terror, or simply Gauleiters like Seyss-Inquart, Schirach or, again, Sauckel, administrators, officials of high authority as well as politicians, who shaped into a concrete whole the common policy conceived for the sum-total of the State and of party machinery.

I know full well that the shadow of the absent ones towers over this machine, and today's defendants are always reminding us: "Hitler wanted this, Himmler wanted this, Bormann wanted this", they say. "I only obeyed", and their defense counsels stress the point. Hitler the prodigious tryant, the fanatic visionary imposing his will with an irresistible magnetic power. This is too simple. This is too sketchy. No man is entirely non-receptive to suggestions, to insinuations, to influence, and Hitler could escape that law no more than any other man. We have had irrefutable proof of this in all that these proceedings have permitted us to guess concerning the struggle for influence which was waged in the "great man's" entourage. The treacherous, underhanded slanders were unrolled, the intrigues which reminded us at certain times during the proceedings of the small courts of the Italian Renaissance. Everything was included, even up to murder. Is it not true that Goering, before he himself fell into disgrace, got rid of Roehm and Ernst, who had not plotted against their master, but against him, as Gisevius told us. So much imagination, such perseverance in evil, but also such efficiency, show us that Hitler was not insensible to the actions and intrigues of the men around him. What a pity that these intrigues were not trained in the right direction! But of Hitler's receptiveness to influences we have direct evidence, and it is given us by Schacht who thereby apart from these men involves the German masses, the good sense of which these men had contributed to warp and in which they roused the worst of passions.

Did not Schacht say of Hitler in Court:

> "I believe that in the beginning he did not have only evil tendencies without a doubt he believed he wished only good, but little by little he became the victim of the charm he exerted over the masses, for he who begins by seducing the masses is in the end seduced by them, so that this relation between chief and disciple helped to lead him into the erroneous ways of mass instincts, which any political chief should strive to avoid."

What was then the great idea of them all?

Incontestably it was that of the conquest of vital space by any and all means, even the most criminal.

At a time when Germany is still disarmed, when prudence is still required, Schacht, who is on Hitler's side, asks for colonies; we remember Hirschfeld's testimony, but he dissembles, he partly disguises the great idea of the State machine to which he belongs, and this idea we would be less easy in our mind in denouncing it without the disconcerting artlessness of "the great man", who ten years previously had revealed the whole of his plans of battle for all the world to see.

"MEIN KAMPF" (French text)

> "The German people cannot consider its future otherwise than as that of a world power. During nearly two thousand years the stewardship of our people's interest, as we must call our more or less successful foreign political activity was an integral part of world history. We have even witnessed it; for the gigantic conflict between nations from 1914 to 1918 was nothing else than the struggle of the German people for its existence on the terrestrial globe and we even call that event the World War. The German people went in the fight as a so-called world power. I say 'so-called' for in reality it was not. If in 1914 there had been a different proportion between its superficial area and the number of its population, Germany would have been a world power and apart from the other factors might have found a successful issue" * * *.

This is the next quotation:

> "I would rather say this: The claim for the reestablishment of the frontiers of 1914 is a political insanity through its proportions and its consequences, which reveal it to be an actual crime, this without taking into account that the frontiers of the Reich were anything but logical. In reality they did not

include all the men of German nationality and neither were they more rational from a strategic point of view. They were not the result of a calculated political plan, but rather temporary frontiers; in the course of a struggle by no means ended, they were even partly the result of a gamble."

"The frontiers of the year 1914 have absolutely no value for the future of the German nation. They constituted neither a safeguard for the past nor a power for the future. They will not enable the German people to maintain its inner unity nor to assure its subsistence. Regarded from the military point of view, these boundaries appear neither well chosen nor reassuring and, finally, they cannot improve the situation in which we actually find ourselves in relation to the other world powers or to be more correct, in relation to the real world powers."

Here is another quotation:

"But we, we other National-Socialists, must hold immovably to the goal of our foreign policy: to secure for the German people the territory to which it is entitled in this world. And this is the only action which before God and before Germany's future generations justifies the shedding of blood before God, because we were placed upon this earth to gain our daily bread through perpetual striving, as creatures to whom nothing has been given without an equivalent, and who owe their position as masters of the earth to their intelligence only, and to the courage with which they know how to conquer it and to conserve it for our German posterity, provided that the blood of a single German citizen will not be shed unless this should give to future Germany thousands of new citizens. The territory upon which the robust children of generations of German peasants will some day be able to multiply, will justify the sacrifice of our children and will absolve the statesmen who by their generation are being held responsible, even persecuted because of the blood and the sacrifice imposed upon our people."

A further quotation:

"A State which in an age of racial contamination keeps jealous watch over the conservation of its best elements, is bound some day to become the master of the earth * * *"

The last quotation:

"A stronger race will drive away the weaker races, since the final rush towards life will break the ridiculous restraints of a so-called individualistic humanity to replace it by a humanity true to the nature which annihilated the feeble in order to give their place to the strong * * *." (page 135).

And then the strength of the State machinery and of the Party grow. The recognized army was soon powerful enough to permit Germany to arm openly. Who, at that time, would dare to interrupt the monstrous development of this biological materialism? Hitler specified his ideas in a smaller circle, and those who heard his words were not all Nazis. Enlightened as to the master's purposes, they will yet stay by his side, and that is what condemns them. Is it not so Raeder?

> "The question is not of conquering populations, but of conquering territories suitable for cultivation * * *."

Hitler said in conference with von Blomberg, von Fritsch, and Raeder on 5 November 1937,

> "Expansion cannot be made a reality except by breaking existences to pieces and running the risks * * *."

That comes from the same speech.

After von Fritsch and von Blomberg had fallen into disfavor, Keitel and Jodl, picked because of their servility to the system, had a solid war-tool in their hands. On the evening before the outbreak of the conflict, Hitler recalled his thoughts *(L–79, USA 27)*:

> "Circumstances must be adapted to goals which are to be attained. This is impossible without invasion of foreign States, or attack against foreign property.
>
> "Vital space proportionate to the greatness of the State is the basis of all power. For a time one can refuse to face the problem, but in the end it must be solved, one way or another. The choice is between progress or decline. Fifteen or twenty years hence we will be forced to find a solution. No German statesman could evade that question any longer. We are, at this moment, filled with a patriotic fervor which is shared by two other nations, Italy and Japan.
>
> "The period which is behind us was well utilized. All measures were taken concretely and in harmony without aims.
>
> "After six years, the situation today is as follows: National political unity of the Germans has been accomplished except for a few details. The ultimate success cannot be obtained without the shedding of blood.
>
> "Danzig is in no case a subject of dispute. It is a question of expansion in the East, of space needed for our existence (Lebensraum) and of assuring our food supplies.
>
> "The peoples of non-German territories will not be called for military service, but will be available as a labor reserve.

> "The Polish problem is inseparable from a conflict in the West."

And the war came, which in a few months time made all Germany believe that her force was irresistable and that she could proceed to conquer the world. All that was meant by this cruel, monstrous phrase of Hitler:

> "We must keep firmly to the aim of our foreign policy: secure for the German people the territory to which it is entitled in this world. And this act is the sole act which, before God and our German posterity, justifies bloodshed * * "

All this monstrous phrase was thus developed:

> "We claim to have been compelled to carry out occupation, administration etc. * * * Nobody will realize it is the question of a permanent settlement. It will not prevent us from taking the necessary measures: executions, deportations * * * etc."

And further on:

> "Partisan warfare will have one advantage for us. It will enable us to exterminate all those who oppose us. * * * "

The same theme was taken up and cynically proclaimed by the spokesman of the State.

This Trial has brought you echoes thereof. And in a speech by Himmler *(1919–PS):*

> "Whatever the nations of category A blood can offer us we shall take, if necessary by taking their children away from them and bringing them up among us".

* * * * * * *

> "Whether nations thrive or starve only interests me in the measure that we use them as slaves for our civilization".

* * * * * * *

> "That 10,000 Russian women should die of exhaustion in digging an anti-tank ditch only interests me to the extent whether the anti-tank ditch has been completed for Germany".

* * * * * * *

> "When somebody comes and says to me: 'I cannot have the anti-tank ditch dug by women and children because it is inhuman and would kill them', I reply: You are a murderer of your own kin, for if the ditch is not finished German soldiers will fall and they are the sons of German mothers."

And from the same speech, and concerning the extermination of the Jews *(1919–PS):*

> "We have exterminated microbes. We did not wish to be con-

> taminated and die. We have fulfilled this duty for the sake of our people. Our spirit and character have not suffered from it".

The conquest of vital space, i. e., of Territories emptied of their population by every method, extermination included, that was, gentlemen, the great idea of the Party, of the system, of the State and thus of all men who are at the head of the main administration both of the State and of the Party.

That is the great idea in the service of which they united, for which they have been working. To realize this all measures were good enough, violation of treaties, invasions and enslavement of weak and peaceful neighbors in peacetime, wars of aggression, total wars with all the atrocities the words imply. Goering and Ribbentrop cynically admitted that they participated in it spiritually and materially, and the generals and the admirals helped as hard as they could.

Speer exploited labor to starvation and to death, labor recruited for him by Sauckel, Kaltenbrunner, the regional leaders of the NSDAP (the Gauleiters), and the Generals. Kaltenbrunner exploited the gas chambers which Frick, Schirach, Seyss-Inquart, Frank, Jodl, Keitel and the others furnished with victims. But the creation of the gas chambers themselves had been made possible because a favorable political ideology had been developed and there each overlapping the other, you find the responsibility of all, of Goering, Hess, Rosenberg, Streicher, Frick, Frank, Fritzsche, even of Schacht himself, the pro-Jewish Schacht included. Did he not say to Hirschfeld:

> "I want the greatness of Germany, and to accomplish it I am ready to ally myself with the devil himself."

He entered into this alliance with the devil and with hell. Papen included, who sees his secretaries and friends killed around him and continues to accept official missions in Ankara, in Vienna, because he believes he can appease Hitler by serving him.

Not all are there, there are those who are dead, and those who are living; for example the industrialists who exploited the workers of the enslaved countries after having carried Hitler and his system to power by prividing the money without which nothing could have been done; who carried them to power by nationalistic fanaticism as well because they expected from Nazidom the guarantee of their privileges.

Everything was connected, everything was indissolubly united because the totalitarianism policy, the total war, preparation and conduct of the plan of extermination of the peoples for the conquest of space, implied a co-ordination, a close liaison between all government administrations: Police and Army, Foreign Affairs, and Police and Army, Justice and Police, economics and justice, Universities and Propaganda and Police. And now we come to the second proposition which we have to demonstrate.

The Coordination of the various departments at the head of which these men stood, implies close cooperation between them.

The Defense strives to establish watertight partitions between the different elements of the German state.

According to him, there is supposed to be a parallel without a horizontal bond between the various State and Party departments, between individual ministerial administrations and between individual National-Socialist organizations. The only connecting link would be the person of the Chief, at the head. According to the defense, the dominating principle of German structure would be personal union, not coordination and cooperation.

This is false. This is contrary to the principles of the Nazi State and requirements of a State in which every force strives toward the same goal and towards the actual reality of German life as revealed by the debates.

According to National Socialist conception, the Party must take the place of Democracy. The Party is the political expression of the Nation, which materialises in the political action of the State carried out by the activity of its administrations. The 1 December 1933 Act proclaims, for the purpose of ensuring the unity of the Party and State, that the Party is the exclusive support of the State conception, and indissolubly unites the Party and the State.

At the Party Congress in 1934, Hitler says:

> "It is not the State that created us. We create the State for ourselves. To some it may appear as the Party, to others as an organization, for yet others as something different but actually we are what we are."

The aim pursued by the Party is therefore to achieve a more and more complete union between the State and the Party. This explains the legislation which makes it compulsory for the chief of the Party Chancery to be consulted in the appointment of ranking officials; which incorporates Party chiefs in municipal administration, integrates the SS into the Police, and assimilates the SS to police officers; makes the direction of the Hitler Youth a State department, integrates the direction of Party headquarters abroad into the Foreign Department and merges together to an increasing extent the military personnel of the Party and those of the State. General von Brodowsky's war diary, which we have submitted to the Tribunal, shows that this merger was a fact at the time of the landing in France. Hitler, however, continued to maintain the system of parallel State and Party administration, because they control and supervise each other. But he compelled both parties to cooperate closely to be certain of the effectiveness of the control.

All the defendants moreover, excepting Hess, are representatives of State departments. They cannot hide behind the might of the Party, since Party and State shared the power. The Party expresses a doctrine which must direct the action of the State, but the State in its turn alters the Party doctrine to suit itself. Many items of the Party Program dated 24 February 1920, were never carried out and fell completely into oblivion after a certain experience of power. Income other than that from labor was not abolished (item II); the trusts were not nationalized (item 13); land reform was not carried out according to the provisions of item 17 (I); property interest and land speculations remained.

Ultimately, the whole of German life was subjected to the combined effect of State and Party forces. All the State departments and Party departments contributed to the creation of its components.

Examples are plentiful and are to be found in every State department.

Let us take Foreign Affairs. It is one of the State administrations which, in its correct conception, should remain the farthest removed from any political doctrine. Not so in Nazi Germany. For the purpose of the extermination of the Jews, headquarters abroad cooperate with the RSHA by the intermediary of the Wilhelmstrasse, as evidenced by Documents RF 1206, 1220, 1502, 1210 and USA 433. Wilhelmstrasse officials are called upon to advise the military police and Secret State Police (Document RF 1061). It is Best, Ribbentrop's representative in Denmark, who transmits the order for deportation of the Jews to the Chief of the German Police, Mildner *(RF 1503)*. Document RF 1501 shows Ribbentrop vindicating anti-Semitism to Mussolini and requesting Italian cooperation.

Ribbentrop and Kaltenbrunner are implicated in all the terrorist measures against the elites; the SD and the Wilhelmstrasse are also involved in the organization of the aggression against the broadcast station of Gleixitz in order to furnish the pretext of a Polish attack. The report of the German military administration concerning the pillage of art treasures in France incriminates at the same time the special staff of Rosenberg and the German Embassy in Paris *(RF 1505)*. The Wilhelmstrasse and the army are involved with the police in the question of hostages, reprisals, and deportations. The examples could be multiplied.

We do not pretend to exhaust the subject, but only to illustrate an opinion.

Let us now examine the activities of the organization Rosenberg. Rosenberg, by virtue of his function, already coordinates several branches of the German State. His service of foreign policy has been incorporated in the Ministry of Foreign Affairs. He is furthermore the philosopher of the regime, Minister for the Eastern Territories and chief of the special Staff entrusted with the control of art treasures. The SD and the secret police work in liaison with him *(L–188* and *946–PS)*.

The same liaison, the same coordination must be noted in the order of the State machinery in matters concerning forced labor. All the Ministers and all the higher functionaries, like the Gauleiters, are involved in it, be it that they conceived or prepared the operation, or still more simply that they gave it a helping hand or that they benefited by it.

We remember the inter-ministerial meetings in Berlin on this subject, and the conference between Sauckel, Kaltenbrunner, Speer, Funk and the representatives of the OKW, which is the subject of document 3819–PS in the meeting in Paris presided over by Sauckel which was attended by representatives of the army, the police and the Embassy *(RF 1517)*.

Economy is no longer independent. During the war there exists under Funk a close cooperation between the economic and administrative services of the army and those of economic affairs. The Ministry of Economy appeals to the police to develop plans for the germanization of economy, *(RF 803* and *814)*. The Ministry of Finance subsidized the SS to carry out scientific research on the internees, involuntary subjects of abominable experiments *(002–PS)*. Long before the war and under Schacht, the same bonds, first secret, later on public, and closer than any other country in the world, unite politics, finance and economy with the army. Schacht, in a speech on 29 November 1938 pronounced the following opinion on his achievement:

> "It is possible that no other issuing bank has followed in peace time such an audacious credit policy as the Reichsbank since the assumption of power by National Socialism. With the aid of this policy, however, Germany has created an armament which is the first in the world, and this armament has made possible the results of our policy * * * ."

The judicial system is no longer independent. We find it associated with the police in the most criminal enterprises. Document 654–PS gives an account of a discussion between Thierack, Himmler and others, at the end of which it was decided that the antisocial elements and the internees of the concentration camps, the

Jews, Gypsies, Russians, Ukrainians, Poles sentenced to more than three years in prison should be turned over to Himmler by the administration, to be exterminated by work, and that in the future individuals belonging to the same categories should not be judged by ordinary tribunals but handed over immediately to Himmler's administration.

Finally during the war the terrorist activities of the army and the police, of the State and the Party merge together. Sometimes the police is made subordinate to the army, though acting with a certain autonomy according to the orders of the RSHA. This is the case in Belgium. In France, in spite of being detached from the army, the police maintains close cooperation with it. The army participates with the SIPO, (Security Police) and the SD in the Persecution of the Jews, in the administration of the internment camp of Compiegne and in the designation of hostages *(RF 1212* and *1212* bis) and in their execution *(RF 1244).* As we have seen the army and the police were accomplices in the terrorist actions against the population. The navy and the Police are also accomplices in the massacre of the commandos, and it is the police which massacres certain categories of War Prisoners, although all the prisoners without exception come under the authority of the OKW *(1165–PS).*

One might multiply examples of the close association of Party machinery with the State services of their coordination which at times goes so far as to result in a symbiosis. Realization of the common political idea: the conquest of space by all possible methods, is the path pursued by all, one way or another.

The cooperation of the defendants is an evident result. Apart from the definite facts of co-operation which we allege, what we know of the general functioning of this totalitarian State, bound to the destiny of the Party, its vigour against the heretics for whom camps with their gas chambers waited all that leads us to affirm that the defendants, be they Ministers or dignitaries or high functionaries with State or Party authority, together with others who are not there—dead or held for trial in other Courts, formed an entity. And this, taken altogether, was the Government of the Reich; this was the State–Party or Party–State; an entity, perhaps, but a conscious and criminal entity which caused the massacre of millions of human beings in order to enlarge the Reich beyond all measure.

The acts of the defendants are not only the particular ones which we analysed just a minute ago in the light of the national penal codes of their and our countries, respectively. They comprise also in their entirety those of the German State for which they acted, of that German State to which they gave life, conscience, thought, will, and of which they must now assume the responsibility for the consequences, even the most extreme ones, because they could not personally disentangle themselves from these crimes.

And this brings us to our third proposition:

The Defendants must be judged on the basis of their functions performed in that criminal policy of which they were the promoters and instruments.

Was it not Dr. Seidl who, in defending Frank, has said:

> "This is an acknowledged principle and it derives from the penal code of all civilized nations that a uniform and natural action must be appraised in its totality, and that all circumstances which might possibly enter into consideration must be examined in order to form a basis at the time of the working out of the verdict."

It is in the political life that all the crimes of the defendants lie. They are, as we know the elements of a criminal State policy. To consider the defendants as offenders of the common law, to forget that they have acted in the name of the German State and for the account of that State, to apply a standard to them the same as that applied to hooligans or to assassins, would narrow the amplitude of the trial, would misinterpret the character of their crimes. Crimes which the Courts of our countries ordinarily adjudicate show the criminal in opposition to the social order. These are individual deeds; their range is limited; their consequences are circumscribed. Their crimes never strike more than a few victims, and it is impossible to find in the annals of our countries an example of murder methodically perpetrated by terror organizations whose victims would run higher than a few hundred people.

That is the highest price of a criminal plot within the bosom of our national Communities.

Organized, highly hierarchichal, endowed with an armed force and judicial institutions, our national communities can eliminate delinquents before they can do all the harm they are capable of.

These defendants, on the contrary, developed their criminal activity within the community of States, an unorganized world which is just beginning to be conscious of its own existence and had then neither armed power nor judges.

These defendants seized the German State and turned it into a gangster State, putting at the service of their criminal plans all the executive might of the State. They acted as chiefs or leaders of political, diplomatic, juridical, military, economic and financial staffs. The activity of these staffs is normally coordinated in any country since they serve a common purpose, indisputably a common political idea. But in National Socialist Germany, as we know, such coordination was reinforced by the interpretation of party and administrative agencies. Private crimes became community crimes when committed by the State. Indeed, they were bred by the political thought of each individual: "Conquest of space at any price".

State crimes committed by any one of those who controlled a major department were made possible only because all those who controlled every other major department contributed their share. Should some of them and their departments default, it meant the collapse of the State, the annihilation of its criminal power, which was tantamount to the end of the gas chambers or to the technical impossibility of creating them. But none had either the will or the wish to default, since gas chambers and extermination to make space were the paramount idea of the system—indeed were the system.

Is not the evidence of this unity in crime furnished by the very statements of the defendants, their constant efforts and those of their counsels to prove the autonomy of their departments and cast the Army's responsibility upon the Police, that of the Foreign Office upon the head of the Government, that of the Labor Department upon the Four-Year Plan, that of the Gauleiters upon the Generals; in short, by their attempt to persuade us that everything in Germany was run in tight compartments, whereas the interdependence of the administration and Party and multiplicity of connecting and controlling links between the State and Party prove the contrary by their clever overlapping. All French people who have lived in occupied France remember having seen on the walls of local Kommandanturs a poster depicting the bricks of a wall with the words:

"Teneo quia Teneor"

printed over the picture. It was the whole motto of the system. A few bricks taken away were enough to make the wall crumble. None of these men have done that. On the contrary, they all contributed a brick to the edifice.

Thus by facts, apart from any legal notion of conspiracy, of complicity which may perhaps be subject to discussion according to the different characterisation of the jurists, we shall furnish proof of the solidarity in crime and of the equal culpability of all.

To have perpetrated the crime, it suffices for them being chiefs or high officials of the Party or one of the main State departments and acting on the State's account, to have with the object of extending by all possible means German living space conceived, to have been willing, to have ordered or merely tolerated by their silence that treaties ensuring the independence of other countries be violated, that wars of aggression be prepared or declared, that mass murders and other atrocities be systematically carried out, that demolitions and lootings without justification be systematically committed.

This is the crime of the German Reich, and all the defendants have conspired to commit it.

We will prove this for each of the defendants by means of examples drawn from the trial. For each defendant, the three principal propositions of this demonstration will be the following:

(1) the defendant occupied an eminent position in the machinery of the state and the party which granted him authority over one entire office or several.

(2) the defendant acquiesced in, if he did not conceive, the idea of the government: "conquest of space by any means".

(3) he has personally taken part in the development of this idea by his own activity.

As to Goering and Hess, the Court will undoubtedly excuse me from going into them at length. They were the designated successors of the Fuehrer. They belonged to the movement from the beginning. Hess took the responsibility for the racial laws. Both contributed to the government's political ideas of which in the eyes of the masses they were the living representatives. By their speeches, their lectures, they made this idea penetrate into all circles.

Goering actively contributed and in an essential way in the military and economy preparation of wars of aggression.

Goering is the creator of the Gestapo and the concentration camps where millions of supposed enemies of the government found their death, where genocide was finally and completely consummated.

A large part of his criminal activity is connected with the implementation of the 4 Years Plan, which, proof has been offered, was entirely directed towards the preparation for war. With others he is responsible for the deportation of workers, the brutalities exerted against them, of their allocation to sectors of production aimed against their own country. Furthermore he has taken part in the allocation of prisoners of war and political internees to works directly connected with the war effort of the Reich. He has organized the destruction of the economy and the looting of the occupied nations.

He has also organized, with the help of the Einsatzstab Rosenberg, the looting of works of art on a large scale, often with the aim of enriching his own collections.

By decree of the Fuehrer of 21 April 1933, Hess had received full powers to decide about all questions concerning the management of the party. He participated in the preparation of laws and decrees in general, and even in the preparation of the orders of the Fuehrer. He participated in the appointment of government officials and labor office chiefs. He strengthened the hold of the party on the internal life of Germany. He had a direct influence on the army and on foreign policy. The part which he played in the development of anti-semitism implicates him in the criminal consequences of the movement.

Ribbentrop was one of the king-pins of the party and state machine. Placed in the Wilhelmstrasse by Hitler who distrusted "old-fashioned" diplomats he worked with all his might to create diplomatic conditions favourable to the war of aggression, the essential means for realizing the conquest of space.

We recall the document submitted by our British colleagues and which establishes that Ribbentrop assured Ciano in August 1939 that Germany would make war even if Danzig and the corridor were ceded to her. As it has already been shown, he and his offices are involved in acts of terrorism and extermination in the occupied countries.

Concerning Keitel, my explanation will be equally short. The condition under which he agreed to be chosen by Hitler instead of von Fritsch and von Blomberg, to be placed at the head of the High Command of the Army and introduced into the councils of the government, his political activity in these posts, expressed by his presence at the side of the Fuehrer in Godesberg, later on during the discussions with Petain and Horthy, expressed again by the orders he signed and of which the order for implementation of the N.N. decree is not the least famous, show that it is not just a question of a mere soldier, but a politician general. His part in the arrests and massacres of patriots condemn him. Without any possible doubt he has participated in the exterminations, if only by abandoning to the police, for special treatment, certain classes of prisoners of war. Moreover, we recall the connections of his offices with the police and the armed force of the party.

In the year 1932 Kaltenbrunner became a member of the Party and of the SS in Austria. He became Secretary of State of the Security and the Police in Austria, afterwards Chief of Police in Vienna and Chief of RSHA (Reich Regent's Office) from 30 January up to the capitulation. During this last period he was responsible for the Gestapo, the Police, the Security Service and the concentration camps.

He was one of the most important heads of the criminal organization in realization of the policy of extermination and in accomplishing the annihilation of a race (genocide). His responsibility for the mass-murders has been established. He issued the orders of internment and execution.

"The measures of protective custody", he says, "were measures justified by the war".

He also tries to make us believe he made a stand against the application of these measures. It is impossible to believe him. We have proof that he had full power over the camps.

We are aware of Rosenberg's important position in the 3rd Reich. A Department bore his name. Moreover, he was Minister of the Eastern Territories and Propagandist. In "Blood and Honor" (Blut und Ehre) he resumed and developed the thesis of the space due to the so-called German race. He starts from the unfounded affirmations that "the irradiation of Nordism gives its entire meaning to the evolution of humanity" and that "there is decadence wherever the Nordic culture, instead of condemning the Asiatics and the Jews to a permanent enslavement, mingles with these impure elements. . . He concluded by saying that the continent must be subjected to the concept of the German race "Blood and Honour". To bring Germany back by all possible means to her racial purity was the subject of his speech at Nurnberg in 1933. He extolled the extermination of the Jews, and we know that it was not an oratorical phrase. Besides, he wrote in a report to the Fuehrer on 11 August 1942 *(042-PS):*

> "Instructions aiming at keeping down the number of the population of the Ukraine and at the non-application of Article 218 of the German penal Code were studied last year and resumed on the occasion of a trip of the Director of the Ministry of Health * * * In the Ukraine measures have been taken with a view to preventing epidemics not in the interest of other races, but exclusively for the protection of the German occupation forces and for maintaining labour in the service of the German war industry?"

Finally he was implicated in the attack on Norway, and thanks to his special staff he proceeded to a methodical plundering of the artistic riches of Europe.

Frank is one of the very first adherents of the Party. He was its legal adviser and took part in the elaboration of the program. He was also the Fuehrer's advisor. He was Minister of Justice in Bavaria, then Minister of State charged with the coordinating of Reich Justice, and lastly Governor General of Poland. It is he who tried to give a legal shape to the State's and the Party's terroristic program of persecution and extermination. He defended the institution of concentration camps in the German "Legal Gazette" in 1936, and he proclaimed that the second fundamental law of the Hitlerite Reich was racial legislation. His personal activity in Poland contributed to the extermination of numerous Poles. He boasted about it all in his paper.

Frick was a Party member from 1925 on. He became a Reich Leader and afterwards Reich Director for the elections from 30 January 1933 up to 20 August 1943. He was Chief of the service for the annexation of Austria to Germany, for the incorporation of the Sudetenland, Memel, Danzig, the Eastern Territories, Eupen Malmedy and Moresnet. Moreover, he was Director of the Central Office for the Protectorate of Bohemia-Moravia, the Government-General Lower Styria, Upper Carinthia, Norway, Alsace, Lorraine and all the other occupied countries. He was Protector of Bohemia-Moravia for more than one year. He was Reich Minister of the Interior since the assumption of power, a member of the Defense Council. Being elected to the Reichstag in 1924, he posed anti-Jewish laws. Strictly obedient, he became several times the spokesman for the political thought of the organization. He declared among other things:

"In National Socialist Germany, the direction is in the hands of an organized community, viz. the National Socialist Party. This latter represents the will of the nation. The policy adopted by the Party in keeping with the vital interests of the nation is at the same time the policy adopted by the country." *(3258–PS)*

It is he who appointed Himmler. He is responsible for the anti-Jewish legislation and finally he had sterilization applied to the descendants of colored soldiers. Moreover he caused the lunatics reputed to be incurable to be killed.

Streicher entered the party practically as soon as it was formed. He engaged in unrestrained propaganda against the Jews in his speeches as well as in his writings and he incited the German people to persecute and to exterminate them. He has been a Gauleiter. He does not reject anything that has been done. He stated:

"When one has known the Fuehrer as I have known him in his deepest personality as I have, and when I later learned from his testament that he knowingly gave the order to execute the Jews, well I declare that this man has a right to do so."

Funk entered the party in 1931. He had the golden badge bestowed on him. He was the head of the Reich's press, Secretary of State for propaganda. Finally he succeeded Schacht in the Ministry of the Interior in 1937. He became Plenipotentiary General for Economy and President of the Reichsbank in 1941. In 1932 he was acting as middleman between the Fuehrer and certain heads of the German industry. He took part in the meeting of the industrialists on 20 February 1933 organized by Goering in order to obtain the political and financial support of industry for the realization of the Nazi program. He stated on 4 May 1946:

"As State Secretary for propaganda I have a formal responsibility. I have of course favoured propaganda as did all those who found themselves in a position of importance in Germany, for propaganda filled and permeated the nation's spiritual life."

He asked that the Jews be excluded from important positions. He issued decrees for the realization of that idea. He has received the deposits made by the SS of gold and valuables taken from the victims of mass exterminations. Finally, he built up the war economy and signed the secret law of 4 September 1938.

Doenitz was Commander-in-Chief of the Germany navy. He succeeded Hitler with Seyss-Inquart as Foreign Minister. He was a recipient of the golden party badge. His adherence to the criminal policy of the system is indisputable. In a speech he said:

"The officer is a representative of the state. The ridiculous babble about a non-political officer is plain nonsense."

He recommended the use of labor from the extermination camps in order, he said, to increase output by 100 per cent. He proclaimed submarine warfare without restrictions and ordered his sailors "to be hard", and not to effect any more rescues. He approved and extolled massacres of communists.

Raeder was Commander-in-Chief of the German navy before Doenitz. He was present at Hitler's conferences in which the latter revealed his plans. The texts were noted down in passing. He placed the navy at the Nazi regime's service. He conducted the clandestine rearming and contributed in preparing the aggression against Poland, against Norway.

His contempt for international Law is well known. It is enough to quote the memorandum of 15 October. *(UK–65.)*

Schirach was a party member from the age of 18 years on. He joined it in 1925; leader of the Hitler Youth from 1931 to 1940, Gauleiter of Vienna up to the capitulation, he was one of the essential parts of the machine. He admits that as Gauleiter of Vienna he united in himself the powers of the State, of the city and of the party. It was he who shaped the German youth in accordance with the party's ideology and he has claimed the responsibility for the consequences of this exclusive formation. He allowed Himmler to recruit SS among the Hitler Youth.

From 1943, as he himself admits, he knew of the treatment inflicted on the Jews, but long before that he had taken a quite clearly defined stand as to this question and had conducted an active anti-semitic propaganda.

Sauckel joined the party in 1925. As Gauleiter of Thuringia, and Plenipotentiary General for labor commitment, and honorary Obergruppen-fuehrer SS, he held a quite select situation in the State-Party machine.

A fiery propagandist, he delivered more than five hundred speeches all of them devoted to the development of Nazi ideology. He approved the idea of extermination and said:

> "Concerning the extermination of asocial element, Goebbels finds that the idea to exterminate them by work is far the best." *(682–PS)*

Again he stated:

> " * * * The Fuehrer stated that we had to revise our school conception about the migration of people * * * it is the Fuehrer's wish that a hundred years from now 250 million people of germanic language be settled in Europe." *(025–PS)*

He took personally an active part in the preparations for the exterminations and he declared the following on this subject the 28 May 1946:

> "One can only obtain results in production by employing labor economically."

Not counting the millions of citizens of other countries, he forced nearly two million Frenchmen to collaborate in the war by their toil. To recruit them he used force and the intervention of the police, the SS and the Army. In document 827–PS he states:

> "I have charged a few intelligent men with special executive missions for the workers under the direction of the supreme chief of the SS and of the police. I have armed and trained a certain number of them, and I must ask the Armament Ministry for the necessary munitions for these men * * * "

Such a declaration reduces to zero the insinuation of Speer's counsel that the French population accepted willingly their forced labor in Germany.

Alfred Jodl was chief of the operations staff of the OKW. He had the entire confidence of the Fuehrer to the same extent as Keitel. He participated in the drafting of the successive plans of aggression. Encouraged to serve Hitler by the presence of such conservatives as Neurath, Papen, Schacht, at Hitler's side, he transmitted the 22 March 1943 order concerning the expulsions of the Jews from Denmark and their internment in Germany. He also insured the execution of Hitler's order concerning the annihilation of commandos of 18 October 1942.

He participated in the discussions which led to the measures against flyers who had been forced down. He signed the notice of the High Command of the Army concerning the fight against the guerillas, notice which contained regulations contrary to the rules of humanity.

Von Papen prepared Hitler's accession to power. The constitution of his Cabinet on 30 May 1942 was contrary to the normal procedures of parliamentary institutions. On 2 June he ordered the dissolution of the Reichstag and at the same time gave free course to Hitler's terrorism. On the occasion of an interview with Hitler in June 1932 he said:

> "I have accepted the demands of Hitler—Namely the right of the SS and SA to wear uniforms."

At the same time Papen had no illusions as to the consequences for his party of the Hitlerian disturbances which he had himself released. But he preferred Hitler to democracy. After the elections of 30 July he endeavored to induce Hindenburg to tolerate Hitler and he succeeded in doing so during the month of November.

He permitted the invasion of the public functions by Nazis.

Sir David Maxwell Fyfe reminded us of Von Papen's vindication of National Socialism in Essen in November 1933.

With regard to the racial problem, Von Papen took a very favorable attitude in his speech at Gleiwitz in 1934. I quote:

> "Surely nothing can be said against racial research or against the care given to the race all of which has tended to safeguard the characteristics of a people as much as possible * * * "

We all know what this care consisted of.

Papen served the Party-State administration with utter servility until the capitulation, and his activity was not interrupted, neither by the assassination nor the imprisonment of his collaborators and friends, of which the State and Party were guilty.

Seyss-Inquart became a member of the National Socialist Party on 13 March 1938. He occupied various positions within the core of the party or in the state civil service, and finally became Assistant Governor of Poland, then Reich Commissar for the Netherlands.

He declared, and I quote from document 2219–PS:

> "I attach myself with indomitable tenacity to the goal in which I believe: the greatest Germany and the Fuehrer." (Excerpt from a letter of Seyss-Inquart to Goering on 14 July 1939, *2219–PS)*

In a speech of January 23, 1939, he said:

> "' * * * the task of a generation, that is to say the vital force of a people, is considered by us as the creation and the security of the Lebensraum of the cultural and economic blood of that nation * * * "

And he also said in a letter to Bormann of 20 July:

> " * * * as the task of a whole generation, the entire territory of the Vistula and not only the present gain in the East should be settled by Germans * * * the present Slovakia, the present Hungary, the present Roumania, must be reorganized. The situation appears to me to be ripe * * * I believe that we should obtain in a short time a single German administration for this entire territory."

Seyss-Inquart endeavored to realize the great political idea of the party: conquest of space at any price. He used all his resources for the annexation of Austria, of which he was a native. He admits that he worked for 20 years to realize the idea of the Anschluss. And we have the proof of his collusion with Konrad Henlein for the reunion of the Sudeten territory with Germany. Finally, in Holland he bound that country politically and economically to the Reich. Furthermore, he is personally responsible for the systematic pillage suffered by Holland, for the deportation of part of the population and for measures which provoked famine.

Speer became a member of the Party in 1933. He was appointed by Hitler's personal architect, and in this capacity he came into very close contact with the Fuehrer. As chief of the Todt Organization from February 1942 on, munitions Chief in the Four Years Plan since March 1942, Minister of Munitions since September 1943, he was one of the high ranking officials both in the State and in the Party. Speer exploited more than a million men in the Todt Organization, and in 1943 more than 50,000 deported Frenchmen in the territory of the Ruhr alone. He is responsible for the maltreatment of foreign workers in German factories, particularly in the Krupp plants. He employed more than 400,000 war prisoners in the armament industry. His delegates were authorized by the OKW to go to the camps and to select skilled workmen. He exploited the labor of the concentration camps, more than 32,000 men, as he himself admitted. He visited Mauthausen and shared the responsibility for the deportation of Jews into special working camps, as well as the 100,000 Hungarian Jews who were assigned to aircraft factories.

Von Neurath, who had been Minister for Foreign Affairs since 1932, remained in this office when the Nazis seized power in 1933. He continued occupying this post until 1939 and was, together with his services, gradually absorbed in the growing State Party

Machine. As a member of the government from the very outset, he was familiar with the political ideology of the movement. If he claims to have been radically upset in 1937 when he learned that Hitler was planning aggression, he nonetheless remained in his office and did nothing to dissuade Hitler. On the contrary, it was his favourable opinion that encouraged Hitler to militarize the left bank of the Rhine, which constituted the first stage in the war of aggression for the conquest of space. He remained Minister of the Reich up to the end * * * His presence encouraged conservative Germany to cooperate with Hitler. King pin of the Party State machine, von Neurath was closely connected with this machine in the crimes of extermination of which he had full knowledge.

On 31 August 1940 von Neurath transmitted to Dr. Lammers two Notes Verbales, the one drawn up by him, and the other by his Secretary of State Frank, both of which advised the total Germanization of Bohemia-Moravia and the elimination of the Czech intelligentsia. One of the two reports contains the following lines, and Von Neurath accepts the full responsibility for it since he transmitted it:

> "As regards the future organization of Bohemia-Moravia, all considerations should be based on the goal set for this territory, from the political and national-political angle. From the political angle there can be but one goal: the total incorporation into the Greater German Reich; from the national political angle, the settling these territories completely with Germans. A brief survey of the actual position as it presents itself from observations and experience gained since the annexation in regard to the political and national-political angle, indicates the path to be followed in order to reach the clear and unequivocal goal; * * * Things present themselves in such fashion that a decision must be taken on the fate of the Czech people so that the objective, which is incorporation of the country and populating it with Germans, might be achieved quickly and as completely as possible." *(3859–PS)*

Fritzsche served the Party before it came to power, but he did not join until 1933 and quickly turned into a remarkable propagandist. In the course of the war he became the head of the Radio Service, of the Reich. Expressing the great idea of the system, he incited to the massacre of the Jews.

Moreover, his repeated speeches endeavored to implant into the German people's minds the idea that the Jews and Democracy endangered its very life, and that it was to yield itself without reserve to the men whom Providence had sent to govern them.

Schacht's position is something special. On his case I shall go into greater details. He presents himself here as the victim of the System and pretends to be surprised to find himself here at the side of Kaltenbrunner, who was his gaoler. Schacht told us that the program of the Party did not appeal to him. Still, during the Session of 21 May, 1946, former Minister Severing declared that he had learned from a communication of the Berlin Police that Schacht had been holding conversations with the Nazi Chiefs. He added that Schacht's relations with plutocracy and with militarism impressed him as most compromising, and that he himself would not have wished to join the same Cabinet as Schacht.

We know that as early as 1930 Schacht had established contact with Hitler bringing to him his credit both in Germany and abroad. National Socialism benefited from this in a considerable measure.

At the rally of the National Front at Harzburg, in October of 1931, Schacht took his seat by the side of Hitler, Hugenberg and Seldte. He had already attempted to bring Hitler into the Bruening Government. Schacht organized the financing of the decisive elections of March 1933 *(USA 874)* in the course of a reunion of the leading industrialists in Goering's home, on which occasion Hitler delivered a speech. From the moment of the seizure of power, Schacht played an outstanding role in the machinery of the Party and of the State. He became President of the Reichsbank and Minister of Economy. On 19 January 1939 he left the Reichsbank, but he became Minister of State and held that post until 21 January 1943. Clever, subtle and knowing how to hide his thoughts behind irony or insolence, he never committed himself completely, but it is also established that he persistently demanded extension of vital space for Germany. When he tried to put people in the wrong scent by speaking of colonial claims and the remark was made by his interlocutors that considering world conditions no possession of colonies could assist Germany in solving her domestic problems, he neglected to answer. He knew how to use threats towards democracies and even resorted to blackmail when remarking on a Party success during a visit to America. He stated:

"I warned in the clearest possible language by saying: if you in foreign countries do not change your policy towards Germany, there will very soon be many more members and adherents to Hitler's Party."

He also said:

"This is all quite clear: we ask for more space in order to feed our people".

What part did he play in the development of this criminal policy?

As soon as he came to the Reichsbank, a huge program for financing public works was launched; new railroads, motor highways, all of them works of strategic interest. Moreover, an important portion of the credits was secretly used for purely military purposes.

From 1935 on, rearmament was speeded up under the vigorous impulse of new financial measures devised by him. The academic and upright economist turned into an adventurer in order to carry into being the grand idea of the party. By means of accommodation drafts: the MEFO drafts, rearmament was financed. Issued on a drawee who had provided no cover, a Society created to serve the purpose, the drafts had blank endorsement by a second similar Society * * * When issuing the first draft the drawer annexed extension drafts calculated in such a way that the last became due in January or March 1942. When looking back, the selection of that date attains full significance. The year 1942 was the time appointed by Schacht for the term of his swindle. He hoped that by then the war would help him to solve the problem. The original draft was discounted by the Reichsbank. The bills were not subject to fiscal law in order to prevent the evaluation of the volume in circulation by means of the modifications in the yield of the taxes. The operations were veiled in the utmost secrecy. All the available credits in marks were engaged by the Reichsbank in these armament drafts as far back as 1935. At the end of 1938 there were 6 million MEFO drafts in the assets of the Reichsbank and 6 million to discount, of which 3 million were short term. At the due date, Schacht could not but be aware that there were only three possible solutions:

(1) Consolidation of the debt by foreign loans, but these would be refused of course to a nazified and overarmed Germany;

(2) an inflation comparable to that of 1923 but this would have meant the end of the regime;

(3) War.

The importance of the re-armament financed by Schacht up to 31 December 1938 is shown by the calculation made by us and Mr. Gerthofer of our delegation in particular. Let us not forget that Hitler, in his letter of 19 January 1939 to Schacht, wrote to the latter: "Your name will above all and forever be connected with the first period of national re-armament". From 1 April 1935 to 31 December 1938 the expenditures for Germany's re-armament which we can now discover although part of them are missing, amounted to three hundred forty-five milliard four hundred and fifteen million francs. During the same period France spent only thirty-five milliard nine hundred and sixty-four million francs. This was Schacht's work and only his work. Such a discrepancy shows quite clearly what Schacht's aim was. In 1940 the same proportion was found again on the battlefields of France: ten German armored divisions against one French.

The retirement of Schacht from the Reichsbank or from the Ministry of Economics can in no way militate in his favor. Difficulties arose between Goering and him in regard to the carrying out of the Four-Year Plan. Schacht did not wish to be subordinate to Goering. He resigned from the Ministry of Economy on 26 November 1937, but remained President of the Reichsbank and Minister without Portfolio. On 7 January 1939 he handed Hitler a memorandum in which he established that the volume of the MEFO drafts in circulation through his own fault was becoming a menace to the currency. Technically his position at the Reichsbank had become impossible. The causes therefore underlying his departure were questions of economic organization, not political reasons. He, however, remained Minister without Portfolio. He resigned this post only in January 1943 at the time of the Stalingrad defeat, when the Party-State machinery as well as the Reich were beginning to break down. Evidently he was of no more use to them, but it is equally evident that he might have become useful again later on as negotiator of peace.

Is the balance of his political descent due to the intrigues we can now guess at of Hitler's advisers. Was it machiavelism on his part or was it bad luck? It is of little importance. This nefarious man who succeeded in rounding up and in handing over to Hitler all the financial and industrial pangermanist powers, who helped Hitler to seize power, who by his presence inspired confidence in Nazi Germany, who succeeded through his financial wizardry in providing Germany with the most powerful war machine of the time, and who did all this to enable the Party-State machine to rush to the conquest of space, this man was one of those mainly responsible for the criminal activities of the Party-State machine. His financial cleverness was that of the Nazi, his participation in the crime of that State is beyond doubt. It is capital. His guilt, his responsibility are complete.

With regard to the last of Hitler's confidents, Bormann, we know that he assumed the responsibility of the liquidation of the Jews. There is no need to say anything further.

I am now through with the demonstration of each defendant's guilt, not that the subject is exhausted, but the time allotted by the Court for each Prosecution expound his address to the Court only allows us to prepare the draft of a working plan, deserving of systematic execution. The example illustrating our thesis could be multiplied. All the facts submitted during the last nine months by the four delegations fit without any effort within our plan, and this single fact proves that our logic is unimpeachable and conforms strictly to reality:

Thus we consider that the proof has been furnished that all these men have been a party to the crime of the German State. That all these men were, in fact, united in the pursuit of the same political purpose and that all of them have in one way or another participated in the greatest crime of all: genocide, the extermination of the races or people from which they intended to conquer the space they deemed necessary for the so-called Germanic race.

We have all heard the objections raised by the defense counsels. Dr. Seidl stated them most forcibly:

> "The law in force starts from the fundamental principle that the subject of International Law is solely the sovereign state and not the single individual * * *."

In conclusion he denies you the right of sentencing these men. First let us say that not one of the defendants was the "single individual" that Dr. Seidl speaks about. We think that we have demonstrated their cooperation and their solidarity, strengthened by the Party system beyond the usual intercourse between the Ministers and the principal administrators of any democratic country.

Let us yet observe that it seems intolerable for any sensitive conscience to assure immunity to the men who have lent their intelligence, their good will to the "State" entity, to slaughter as is the case, millions of human beings in the execution of a criminal policy long since decided on. The principle of State sovereignty which might cover these men seems to be only a mask. Remove this mask, and the man's responsibility reappears! Maitre Seidl knows it as we do. But he states "Such is the International Law in force". What a respect on his part for the law in force, and how surprising in his mouth the words which follow. A few moments later, examining the Hague Conventions of 1907, which, let us remember, have not been denounced by any of the signatories, not even by Germany, he satisfies, under stress, that, inspired by the experiences of the wars of XIXth century, they are no longer valid in the XXth. Modern wars would have broken through the limitations foreseen by the Hague Conventions, and he states further:

> "One cannot make use of modalities of the Hague Convention regarding land warfare—even in the widest sense and

> with an adequate adaptation to found thereon a personal penal responsibility."

Thus for Dr. Seidl, International Law is static when he believes he can draw favorable conclusions therefrom, but this law is also in the process of evolution when it condemns his client.

Such dialectics are very weak, which make use of paralogism and are fallacious. Maitre Seidl is well versed in the art of sophism; but he convinces no one.

The immunity of the Chiefs of State and of their associates was hardly conceivable when they accepted the principle of the submission of wars to the restrictions and rules of common law, conventions and the rights of people.

This immunity becomes intolerable, as soon as they free themselves of every rule, and under pressure of the universal conscience an evolution of international custom takes shape against it. I have already shown in concluding my statement in February last, I will not revert to that point. It should be enough to add that the Charter of 8 August 1945, considering the work of the different commissions of war crimes of 1940 at the capitulation, maintained the conclusions of a Frenchman M. de Lapradelle at the 1919 War Guilt Commission. It is because of their acts committed on behalf of the German State that the defendants are arraigned before you—and if it is necessary that law should reinforce the authority of custom, the Statute of London, drawn up in accordance with the significance of the evolution of common law in course of formation, justifies still more our study of the defendants' responsibility in regard to the crimes committed for such a State. Article 6 of the Charter concerns only with crimes committed for such a State.

The impression from the final pleadings is given that most of the Defense Counsels put all their hopes on a narrow juridical or pseudo-juridical reasoning.

Numerous questions were debated. Are there just and unjust wars, defensive wars and wars of aggression, is there, yes or no, a world-wide juridical conscience, are there unequivocal criterions of aggression? This is what makes the defense anxious, not knowing to what extent it is expedient to punish those who have collaborated in the machinery of extermination.

When the Defense Counsels speak of "law in force" it is to deny to this Tribunal the right to condemn, and Dr. Jahrreiss denied all authority to the law "such as it should be conceived" in the light of morality and progress. All forget that the law in force is not only the law of the past, the only one which they invoke, but that the law in force is also the one that the judges invoke in a concrete manner from the Bench. All forget that jurisprudence evolves with the times. There where there is no written law, one can only speak of the preceding tendencies and find out if they are still valid and can be invoked. In any case, the Charter must be applied.

But let us not follow this any further. We would ourselves confuse the issue.

The sole fact of this trial, the fact that dominates all others, is the one of the methodical, systematic extermination of all the men who occupied the space coveted by Germany.

Other crimes have not certainly been committed, but only as means to the end. One is tempted to say secondarily and accessorily, so much is one overwhelmed to such an extent by the atrocity of the final crime.

One should be impressed by this atrocity, one should understand well the danger that such a precedent is created for humanity and therefore demand adequate punishment.

Atrocity of the State-Committed Crime

These men's crime is not a simple one, we have already shown that. The common criminal knows his victim, he sees it. He strikes him himself and knows the effect of his blow. Even if he is only an accomplice he is never, morally and psychologically, sufficiently far removed from the chief perpetrator not to share to a certain extent his apprehension and reactions when the blow is delivered and the victim falls.

Committed by the State machine, murder, or any other crime, becomes anonymous. Nobody bears the chief responsibility. Everybody shares it, those who, by their presence maintain and support the administration, those who conceived it, those who willed it, as well as he who issues the order. As for the executioner, he repeats to himself: "Befehl ist Befehl", "An order is an order" and he carries out his killer's task.

Those who decide do it without shuddering. They have perhaps, not an accurate, concrete idea of the consequences of their orders. Thus the amazement of some of the accused in the few minutes after the showing of the film about the camps must be understood. As for those who promote the execution of the crime by their general cooperation in the work of the Party and State, these have the feeling of being passive witnesses of a scene in which they are not concerned. Indeed, there is no punishment to be feared. In the German scheme the State and the Party are strong, and determined to remain so for a thousand years. They have destroyed Justice.

In the International scheme, too, the prevailing code ensures immunity or at least is believed to ensure it. Moreover, there exists no permanent international jurisdiction that can stand up against gangster States. As for the possibility of a military failure, nobody stops to consider it in view of the seemingly thorough precautions taken. It is in fact remarkable that the culmination of the massacres coincided with due consideration for the delay necessary for the operation of the gas chambers, with the period in which the State and regime believe in the certitude of victory, or have not yet taken the omens of defeat seriously. It is really the perfect anonymous crime as imagined by the French moralist when he propounded the case of the mandarin as a test of moral conscience. And conditions were all in favor of absence of reaction. The facts have demonstrated that none of these men felt a decisive recoil in these conditions.

Most of them, indeed, feel that they had played a part in the tragedy. They have, I think, been more intent on relieving their conscience than on attempting to deceive their judges by casting their guilt on their neighbors. Few of them have had the courage to acknowledge, as did Schirach and Frank, that they were components and part of the whole system, and as such could not evade their responsibility. At the risk of letting the guilt fall upon the German people which proved incapable of rejecting their evil master, the others excused themselves. They attempt, in the exposition of their case, to minimize responsibilities in the hope of conjuring them away, but since it is true, as was stated by Severing and previously by the Mayor of Oranienberg, and the Mayor of Buchenwald and was confirmed by Frank, that it was whispered all over Germany that people died in camps as everybody now knows, do they hope to make us believe that they alone were in ignorance thereof?

The less guilty among them, if one can establish a hierarchy among "major criminals", did not dare to object, but their criminal cowardice had such appalling consequences that there cannot possibly be any extenuation of penalty.

As we see now, State-committed crime in a regime where State and Party are one, and where there is no popular control through lack of freedom of thought, freedom of expression and lack of free elections, State-committed crime is of all crimes the easiest to commit subjectively speaking. Moreover, the technical progress made the world over has put almost every natural force at man's service. His capacity for evil has been considerably increased thereby.

Moral restraint has meanwhile been slackened by the pursuit of materialistic gratification which is also the corrupt fruit of material progress unbridled by intellect.

In general, criminality seems to increase in every state despite the highly improved methods of repression. In the international scheme the process is similar. It is only on a larger scale, because so far there have been no means of repression on an international scale. Industrial revolution and the development of natural sciences have multiplied the virtual power of States. If the State concentrates in its hands natural wealth in its exploitation, if it accentuates its grip upon credit by monetary manipulations, increase of taxation multiplication of free or forced loans; and still further bind the populations to its fate by the development of public charity: control thought by radio propaganda; use to this end eloquent propagandists capable of stirring blind mob passions within the most scattered and the most peaceful of men; if this State at the same time annihilates in its opponents every mode of expression, prevents all popular control, all, including private, criticism it becomes a despotic ruler holding in his hands tremendous means of action for better or worse. Every criminal technicality is within its reach and it can make use of them without restraint, unless, Gentlemen, you insert the element of sanctions in International Law. It must henceforth be possible to put an end to the criminal activity of a gangster State through the power of a super-State organization directed by a legal institution of the same kind, otherwise the freedom of nations is doomed. The weapons of revolt fell from their hands the day when States and States alone could possess methods of destruction against which the courage of citizens remains helpless. Operated by a small number of men devoted to the criminal regime, these arms which are the property of the States can drown in blood the slightest attempts at resistance, and if revolt against tyranny remains the most sacred of duties, such revolt is now hopeless. This is the danger, and Germany succumbed to it. It is true that favourable conditions were present there all at the same time. Under the impulse of the industrial revolution which ever since 1850 was more violent in this country than in any other, a sweeping change in social standards has taken place, the population meanwhile changing from rural and agricultural to urban and industrial. From this, there resulted in a lowering of the spiritual level with disastrous consequences, since the bourgeoisie had received no political education under the Empire. Deliberately kept away from public affairs by their past rulers, the German masses, where the industrialist upper class and proletariat are concerned, were interested only in the economic development of the Reich, and where the middle class is concerned, only in the Army and in the future of the Reich. When, after the first war, the Germans were forced to suffer the disillusionments of defeat; when, in a common and embittered environment all the rancour and resentment as described by defendant Goering at the beginning of his testimony was added thereto as well as the bitter feeling of material and social downfall; when in particular youth strove to materialize its hopes into a concrete reality, Pangermanism then awoke, was spread, popularised and came within the reach of all the dissatisfied. At the same time, the old antithesis between vitalism and intellectualism, between culture and civilization, healthy eagerness and decadent lassitude, the cult of life and the cult of intellect has been awoken and crystallized for the use of simple and puerile brains in the form of the dynamic antithesis between the Nordic Aryan and the Semitic Jew. Appropriate education has easily imposed this biologic materialism. The ground had long been ready. The German is particularly attracted to inculcated doctrine because it alone can make up for the lack of personal, independent discipline which is characteristic of him on the intellectual and moral plane. He loves anything that can be recited as a creed simultaneously admitted by everybody, and as a stereotyped phrase easy to make use of on all occasions. Young Germans therefore learned for their Abitur examination the six races allowed by Guenther in the same way as they learned Grammar, and did not dream of doubting the former any more than they doubted the latter. And when the German mind reproached nations as lively, as attached to their soil, to their tradition, to their supple and varied human culture, such as England and France, contenting themselves with a miserable and artificial intellectualism, while it reproached them with the crime against life (and Dr. Stahmer was the echo thereof)—the German mind created for itself, as a result of the course and facile instructions it claimed to inflict upon all, an intellectualism different to ours in its danger and artificiality. The aim of these so-called ethics of Life was a practice and a doctrine of pure collective, social pseudo-scientific, biological—materialistic opportunism. This aim was the sterilizations, the physiological experiences in the camps, and 15,000,000 persons dead. The reflection of the old French thinker flashes irresistibly through our minds at this result: "Science without conscience is but ruin of the soul"—Neo-Machiavellism, of which Goering gave an example in his statement, took root.

I read lately in a final pleading somewhere that right in itself does not exist, and that the search for the boundaries between right and wrong is determined by historical and national standards (Dr. Nelte). Hitler had already said: "That which is right is that which is profitable to the nation" and Frank paraphrased thus the testimony of his Defense Counsel, "What is profitable for the people is right. The common interest has priority over the individual interests". While reading this, I think of the answer which would have been given by the absolutist Bossuet, who knew how to determine the human measure. (The Defense Counsel compared French absolutism with Nazism: Here is the answer).

> "Politics sacrifice the individual to the common weal, and this is right to a certain degree. It is good that one man die for the people. By that Caiphas understood that an innocent person could be sentenced to the supreme penalty under the pretext of the common weal, which is never allowed, for, on the contrary, the innocent blood cries for revenge against those who shed it."

We are aware of what could be the result of the Nazi precepts. The witness Roser related the words of this young German soldier, who, after having described the mass murders in a ghetto, concluded: "Ah, my dear Friend, it was horrible, but * * * an order is an order". The Tribunal will find at the end of document F-655 which is in one of the Document Books submitted by the French Delegation, Kramer's terrible reflection. Before being Commandant of the Bergen-Belsen concentration camp, Kramer commanded the Natzwiller camp in Alsace, where he himself asphyxiated eighty persons by gas, the proof of which has been given. To the question: "What would you have done if all of them had not been dead?", he answered: "I should have tried again to asphyxiate them by injecting a second dose of gas into the room. I felt no emotion at all while accomplishing these acts, for I had received the order to execute the eighty internees in the way I explained to you. *After all I have been trained that way.*" What a terrible charge against the system! Before being assassin by order, this man had been a bookkeeper at Augsburg. How many peaceful accountants trained in that way are left in the Germany of today? And now "the innocent blood cries for vengeance."

CONCLUSION

You know the crime! You know why and by what means it was perpetrated! The heinous crime without precedent is that of the National Socialist "State-Party", but the defendants in their capacity of chiefs of the National Socialist Party and the great State officials, have all accepted major responsibilities in the conception and perpetration of this crime. Their participation in the crime of the "State-Party" is their personal error which is covered by no immunity whatsoever! And the proof of it has been given for all time.

They must be punished; you are also aware of the dangers to which the world is exposed by their crime, the miseries, the misfortunes it spread among mankind.

You must hit hard, without pity! Let your verdict be just, that is sufficient! To be sure, there are shades in their guilt. Does it follow that the penalties themselves must be carried, if even the least guilty as we think deserves the death-penalty? Tomorrow, whence this international trial will be closed and these principal war criminals sentenced, we shall go back to our own countries where, before our own Tribunals we shall perhaps have to prosecute those who merely executed the orders of the National Socialist State, those who were only executioners.

But how could we then demand the death-penalty for another Kramer, for another Hess, for the camp commandants who have on their conscience millions of human creatures by order, if today we hesitate to claim the supreme penalty against those who were the instruments of the criminal State, the State which issued the orders.

Moreover the fate of these men lies entirely with your conscience! This is beyond our competence, our task is finished. Now, it is for you in the silence of your deliberations to listen to the innocent blood crying for justice.

CLOSING ARGUMENT FOR UNION OF SOVIET SOCIALIST REPUBLICS

by

LT. GEN. R. A. RUDENKO, CHIEF PROSECUTOR

My Lord, your Honors:

We are summing up the results of the legal proceedings against the major German war criminals.

During nine months, all the aspects of the case and all the evidence, presented to the Tribunal by the Prosecution and by the Defense, have been subjected to the most meticulous and detailed examination. Not a single point of the deeds with which the defendants have been accused, has been left without verification, not a single significant circumstance has been overlooked during the investigation of the present case.

For the first time in the history of mankind, criminals against humanity are being held responsible for their crimes before an International Criminal Tribunal; for the first time, nations are trying those who had inundated vast expanses of the earth with blood, who had annihilated millions of innocent people, destroyed cultural treasures, who had made a system of massacres, tortures, extermination of aged people, women and children, who had made a wild claim to the mastery of the world and hurled it into an abyss of unheard-of calamities.

Indeed, this trial is the first of its kind in the history of justice. A Tribunal sits in judgment, a Tribunal created by the peace-loving and freedom-loving countries, who represent the will of and who defend the interests of the whole progress-loving mankind, for mankind does not wish the recurrence of calamities, which will not permit a gang of criminals to carry out with impunity their preparations for the enslavement of nations and the extermination of peoples, prior to putting their heinous plans into effect.

Mankind calls the criminals to account; and on the behalf of mankind we, the prosecutors, accuse at this trial. And how pitiful are the efforts to dispute the right of mankind to judge the enemies of mankind, how vain the attempts to deprive nations of the right to punish those who made the enslavement and the extermination of peoples their aim, and who for many years strove to realize this criminal aim by criminal methods.

The present trial is being conducted in such a manner that the defendants who are accused of the most heinous crimes, are given all the possibilities for a defense, all the necessary legal guarantees. In their own country, the defendants who stood at the head of the Government, destroyed all legal forms of justice, and discarded all the principles of legal proceedings accepted by civilized mankind. They themselves are being tried by the International Court in accordance with all legal guarantees and they are assured of all their defense rights.

We are now summing up the results of the legal proceedings, we are drawing conclusions from the evidence examined before the Court; we are considering all the data upon which the accusation is based.

We ask: Were the charges put against the defendants proved before the Court; has their guilt been established? To this question, there is only one answer: the legal proceedings fully confirmed the charges.

We incriminate the defendants only of those facts which have been fully established and proved to the Court beyond all doubt, whilst all the monstrous crimes have indeed been proved, crimes which were prepared over a period of many years by a band of wild criminals, who seized power in Germany, and who perpetrated these crimes during many years, having no regard for the principles of law or the most elementary standards of human morality.

These crimes have been proved; the defendants' testimonies and the arguments of the defense have been powerless to contend the charges; they cannot be contended because it is impossible to contend the truth, and truth is the lasting result of this trial, the unfailing issue of our long and stubborn efforts.

All the elements of the charges have been proved. It has been proved that there existed a common plan or conspiracy for the preparation of aggressive wars, in violation of international law, the planned enslavement and the extermination of peoples, in which the defendants took part. There can be no doubt as to the existence of such a plan or conspiracy just as there is no doubt about the leading part played in it by the defendants. This point of the accusation is confirmed by all the data brought in during the legal proceeding, by irrefutable documents, by the testimonies of witnesses and of the defendants themselves.

All the activity of the defendants was directed towards the preparation and the initiation of aggressive wars. All their so-called "ideological work" consisted in the cultivation of beastly instincts, in the instillation of the absurd idea of racial superiority in the conscience of the German people and in the practical realization of the plans for extermination and enslavement of the peoples of "inferior" races, who were supposed to serve as a fertiliser for the growth of the "master race". Their "ideological work" consisted in calling to murder, to plunder, to the destruction of culture, and the extermination of human beings.

The defendants prepared these crimes long in advance and then committed them, attacking other countries, seizing foreign territories, exterminating people. When was this plan or conspiracy conceived? Of course, it is hardly possible to give an exact date, day and hour, on which the defendants conspired to commit their crimes.

We cannot and shall not establish our conclusions and assertions on guesses and suppositions, but it must be considered as established beyond doubt that from the moment when the Fascists seized power in Germany they started the realization of their aims and utilized this power for the preparation of aggressive war. Indeed, immediately, after their seizure of power the Fascists began to carry out a huge program of rearmament and reconversion of economy for war purposes.

All the activity of the defendants was directed towards the preparation of Germany for war. This rearmament and reconversion of economy for war purposes is an irrefutable fact; it has been proved by documents and admitted by the defendants themselves.

We may ask, what was this war for which the defendants began to prepare immediately after the seizure of power? Could this be a defensive war? But nobody intended attacking Germany; nobody had such an idea, and in my opinion such an idea could not have even existed. As Germany was not preparing for a defensive war and inasmuch as the very fact that she did prepare for war is established it is evident that she was preparing for a war of aggression. That is the logic of the facts and such are the facts themselves. Germany initiated and waged the war which she had been preparing, and the events of 1937-1939 were that for what she had been preparing in 1933.

Hence we may conclude: The plan or the conspiracy existed at least since 1933, i.e., from the moment when the Fascists seized the power and used it for their own criminal purposes. These are the facts which are confirmed by the words of the defendants themselves uttered at a time when they did not suppose that they ever would be defendants in this dock.

It is enough to mention the addresses of Schacht, Krupp and others in which they describe how the Fascist Government was preparing for war and how all the fields of political and economic life were subordinated to this one purpose.

I consider fully proved the charges against the defendants to the effect that in 1933 when the Hitlerites seized the power in Germany they created a plan or conspiracy including the perpetration of crimes against peace, war crimes and crimes against humanity. The legal proceedings have fully proved the crimes against peace perpetrated by the defendants which consists in planning, preparing, initiating and waging aggressive wars, in violation of international treaties, agreements and assurances.

The facts here speak for themselves; wars which involved innumerable victims and destructions; wars, the aggressive nature of which has been undoubtedly established. The guilt of the defendants in having committed crimes against peace has been fully proved. The charge of perpetrating war crimes, in waging war by methods contrary to the laws and customs of war, have been fully proved. Neither the defendants themselves, nor their counsel, could contest the very facts of their having committed these crimes.

All that they could say to this was that the defendants themselves had not committed these atrocities, the extermination of people, "murder vans" and concentration camps; they had not destroyed the Jews with their own hands, and had not even known about such particular facts. But that such facts existed the defendants themselves do not deny. The defendants admit these facts. This is indeed fruitless method of defense! Certainly, the defendants occupying high leading posts in Hitler's Germany were in no need of shooting, hanging, smothering, freezing live people themselves, by way of experiment. Their subordinates did that according to their instructions; henchmen did, so to say, the dirty work whilst the defendants only had to give orders which were unwaveringly obeyed. Therefore, the attempts of the defendants to deny their connection with the henchmen, to separate themselves from them, were hopeless. This connection is evident and indisputable. If the Commandant of Auschwitz, Rudolph Hess, pulled out the golden teeth of the dead, we may say that the Reichsminister, Walter Funk, opened special safes in the cellars of the Reichsbank to keep these golden teeth.

If the subordinates of Kaltenbrunner exterminated people in "murder vans", the vans themselves were built at the works of Sauer, Daimler and Wenz, which were subordinated to the defendant Speer. If the prisoners of war were destroyed by professional henchmen of the unit "Toten Kopf" (Death Head Unit) and by the guards of the camp, the orders to exterminate were signed by Fieldmarshal of the German Army, Keitel. That is to say, the defendants appointed the terms of extermination, the date and issued the orders to create a special technique of murder, explained the reasons for the right of the master races to exterminate "inferior races."

For every murder, for every drop of innocent blood shed by Hitler's henchmen the defendants are responsible, for between them and the direct perpetrators of the crimes, murder, torture, there is a difference only in rank and scope of action; these were direct henchmen, and these are the principal henchmen, the chiefs of the henchmen, henchmen of a higher grade. They are far more dangerous than those trained in the spirit of hatred towards humanity and wild fanaticism, whom they now repudiate in order to save themselves.

The criminality of the defendants in the perpetration of war crimes, has been fully proved; that they initiated a system of exterminating war prisoners, peaceful inhabitants, women, old men and children; it is their fault, that wherever the German soldier stepped, there lay heaps of murdered and tortured people, ruins and places left barren by fire, land desecrated and soaked with blood. The crimes committed against humanity have been completely proved. We cannot omit the crimes committed by the defendants in Germany during their domination: the extermination of all those who expressed their discontent in any way with the Nazi regime; slave labor and extermination of people in concentration camps, mass extermination of Jews, and the same slave labor and extermination of people in the occupied territories. All this has been proved and the charges are irrefutable. What means of defense have the counsels used? What kind of proofs and arguments could they give to refute the charges?

The arguments of the defendants may be divided into two main groups. First, a number of witnesses summoned by the defense counsel. These witnesses had to extenuate the guilt of the defendants with their evidence, to diminish the part taken by them in committing the crimes, rehabilitating them by all means.

These witnesses themselves were in most cases defendants in other trials.

How can we speak about the objectivity and authenticity of the evidence given by the witnesses of the defense, if the innocence of the defendant Funk should be confirmed by his deputy and accomplice, a member of the SS since 1931, Heller, bearing the rank of Gruppenfuehrer SS; if the criminal Rainer, member of the Fascist Party since 1930, and Gauleiter of Salzburg, and then of Kaernten was summoned to give evidence on behalf of Seyss-Inquart?

Those so-called witnesses, such as for instance Buehler—the right hand of the defendant Frank and accomplice to all his crimes, or Bohle, one of the principal leaders of the spying activities of the Hitlerites abroad and chief of the foreign section of the Fascist Party, came here in order to commit a perjury to try to protect their former "bosses" and to save their own lives.

Nevertheless most of the "witnesses" for the defense during the cross-examination, became witnesses for the Prosecution. They were themselves convicted by the "mute witnesses"—documents mostly German; they themselves were forced to expose those whom they had intended to protect.

Another means used by the defense consisted of the legal arguments and considerations.

Some Legal Aspects of the Trial

The accusation in the present trial is based on an enormous quantity of irrefutable facts and strongly established on the principles of law and justice. Therefore, already in the opening speeches for the Prosecution, so much attention had been paid to the legal aspect of the responsibility of the defendants.

In the speeches of the defense a number of legal questions were again raised:

a. Of the importance of the principle "Nulla crimen sine lege."
b. Of the importance of the order.
c. Of the responsibility of the State and individuals.
d. Of the concept of conspiracy.

In this connection I consider it necessary to return again to some legal questions in order to answer to the attempts of the defense to confuse the simple and clear statements and to transform legal argument into a kind of smoke-screen in an effort to conceal from the Tribunal the gruesome reality of the Fascist crimes.

A. PRINCIPLE "NULLA CRIMEN SINE LEGE"

The defense attempted to deny the accusation by proving that at the time when the defendants were perpetrating the offenses incriminating them, the latter had not been foreseen by the existing laws to be crimes, and therefore the defendants bear no criminal responsibility for them.

I could simply refer to the principle "Nulla Crimen Sine Lege", as the Charter of International Military Tribunal, which is an immutable law, and which provides that this Tribunal "shall have the power to try and punish persons, who, acting in the interest of European Axis countries, whether as individuals or as members of organization" committed any of the crimes enumerated in Article 6 of the Charter.

Therefore from the legal point of view, sentence can be pronounced and carried out without requiring the deeds incriminating to the defendants to have been foreseen by the criminal law at the time of their perpetration. Nevertheless, it is without doubt that the deeds of the defendants at the time when they were being committed were criminal acts from the point of view of the existing criminal law.

The principles of criminal law contained in the Charter of International Military Tribunal are the expression of the principles contained in a number of international agreements enumerated in my opening statement of 8 February 1946 and in the criminal law of all civilized countries.

The law of all civilized countries imposes criminal responsibility for murder, torture, violence, plunder, and so on. The fact that those crimes have been initiated by the defendants on a scale surpassing human imagination and bearing the marks of unheard of sadistic cruelty, does not of course exclude, but on the contrary, increases many times the responsibility of the defendants.

If the defendants had committed the crimes on the territory and in respect of the citizens of any country, according to the Declaration of the Heads of the Governments of USSR, Great Britain and United States of America, published on 2 November 1943, and in full agreement with the universally accepted principles of criminal law, they would have been tried in that country and according to its laws.

This Declaration set forth that "the German officers, soldiers and members of the Nazi Party who were responsible for the above-mentioned cruelties, murders and executions, or who voluntarily took part in those, would be deported to the countries where those gruesome crimes had been committed, in order to be tried and punished according to the law of those liberated countries and free governments which would be established there."

Nevertheless, the defendants are war criminals "whose offenses have no particular geographical location" (Article 1 of the Agreement of the Four Powers of the 8 August 1945), and, therefore, the International Military Tribunal, acting in accordance with the Charter, is competent to try their crimes. The Counsel for the defendant Hess took the liberty to assert that there can be no doubt that the crimes against peace, as they are stated in Article 6, Paragraph 2, of the Charter, do not exist.

It is not necessary to make any reference here to the international agreements.

They are charged with deeds which civilized humanity long ago recognized as criminal.

B. Execution of an Order

Some of the defendants in their statements before the Tribunal attempted to present themselves as poor dwarfs, blind and obedient executors of another's will—the will of Hitler.

In the search for a legal basis for this attitude, the Defense Counsel Jahrreiss spoke at length about Hitler's order. In the opinion of Counsel Jahrreiss Hitler's order was quite different from the order of any other leader; Hitler's order was an act "legally immutable". Therefore, Counsel Jahrreiss asserts that: "Whatever the Charter understands by the orders which it rejects, as a factor excluding criminal responsibility, is it possible to take the same attitude towards an order of Hitler? Could this order be considered as an order in the meaning of the Charter?"

The right to interpret law is an irrefutable right of all lawyers, including the Defense Counsels. Nevertheless, it is uncomprehensible what logical or other methods were guiding his assertion that the provisions of the Charter specially elaborated for the trial of major war criminals of the Fascist Germany, did not indeed aim at the very conditions of the activity of these criminals.

What orders then, issued by whom and in what country, are contemplated by the Charter of the Tribunal?

It is, on the contrary, indisputable that the authors of the Charter were fully aware of the specific conditions existing in Hitlerite Germany, were thoroughly familiar, by means of the material of the Kharkov and other trials, with the attempts of the defendants to hide themselves behind Hitler's orders, and it is for this very reason that they made a special provision to the effect that the execution of an obviously criminal order does not free from criminal responsibility.

C. Responsibility of Countries and Individuals

We think that the very authors of this attempt to hide a large group of ministers, Gauleiters and war commanders behind Hitler's back, became to a certain extent, doubtful of the convincing power of such a defensive maneuver, and a new line of defense was set up to assist this maneuver.

"If the German Reich began an attack in spite of the still-existent non-aggression pact"—said the counsel Jahrreiss, "then Germany committed an international offense and must answer for it according to the principles of international law * * * the Reich alone, but not an individual person."

We cannot, in the first place, omit to notice that the above point of view is not exactly new: even before the beginning of the official defense at this trial, certain unofficial defenders of war criminals willingly propagated the version to the effect that it was the German government and the German nation, who were to bear responsibility for the criminal aggression and war crimes and not individual persons.

When the subject of international law, i.e. a state, violates the principles of international law, this entails certain consequences of an international character, but in no case does it entail the criminal responsibility of the state. Any action on the part of the state in the sphere of international relations is committed by physical persons, by officials and by the agents of that state. In carrying out such acts, these individuals may be guilty of the most varied offenses in violation of either the common or the criminal law. In the latter case, i.e. when their individual criminal responsibility is involved, they bear this responsibility in appropriate cases, in conformity with the laws and before the courts of their own country, as well as—if such is the case—in conformity with the laws and before the courts of a foreign state.

In the present case, not only did the Hitlerite State violate principles of international law, resulting in measures taken against the states, but also some individuals, in committing these acts, have personally committed criminal offenses, for which they bear the criminal responsibility in accordance with the Charter before the International Military Tribunal.

Concerning the Concept of Conspiracy

The defense counsels are unanimous in trying, by different ways and versions, to dispute the charges of criminal conspiracy made against the defendants. Extracting from various sources one-sided and selected definitions of the conspiracy, the counsels have tried to prove that Goering, Hess, Ribbentrop and others cannot be considered as accomplices of the conspiracy. I should like to quote here several arguments proving the groundlessness of the statements of the defense.

The conspiracy implies the existence of a criminal society created and acting to achieve common criminal purposes. Such a society doubtlessly existed. It stands to reason that in this case the threads and levers uniting the members of this conspiratory criminal society are very complicated, as the conspirators had seized the government of a country.

In any criminal society, and particularly in a numerous society with many ramifications, single accomplices commit criminal acts comprised by the general plan of the conspiracy, but they can practically remain unknown to a number of the members of this society. Nevertheless, as these crimes result from a single criminal plan, common to the whole society, the accomplices who have not personally committed these separate criminal actions and were not practically informed of them, bear the responsibility for them.

In this special case the existence of the conspiracy is not precluded by the circumstance that, for instance, Schirach could be unaware of some of the measures taken by the slave trader Sauckel or the"pogrom maker" Streicher. Neither is the existence of the conspiracy precluded by the differences of opinion among individual accomplices of the conspiracy concerning particular questions such as the intrigues of Goering against Bormann etc. Such dissensions may take place in any band of robbers or thieves, but the gang does not cease to exist on account of this.

In nearly every society there exists a certain hierarchy among its members. Very often the head of a criminal band usurps the unlimited power over the other members of the band, even the very right of life and death. However it seems that it never occurred to any lawyer in the world to deny the existence of a criminal society only because its accomplices were not alike and one of them had power over the others.

It is at any rate strange to deny the existence of the conspiracy in the present case on account of the indisputable fact that great personal power was concentrated in the hands of the ring leader —Hitler. In the same way the existence of the conspiracy does not preclude, but on the contrary it implies, a definite distribution of the parts played by the accomplices of the criminal group, when achieving the common aim (one coordinates the entire criminal activity, the other is in charge of the questions of ideological training, the third one prepares the army, the fourth organizes the work of the war industry, the fifth carries on the diplomatic preparations, etc.) Therefore, the Fascist conspiracy does not cease being a conspiracy, but is a conspiracy which presents special danger, because the whole machinery of the state and enormous resources of men and material are in the hands of the conspirators. In the hands of the international criminals, in the hands of Goering, Keitel and other defendants, the enormous forces of people become an instrument of very great crimes.

This is the reason why these special traits that distinguish the conspirators of Fascist Germany from any other gang lend it a special dangerous character without changing the legal character of the conspiracy.

Thus I complete the analysis of the legal arguments of the defense, which were examined in detail by my honorable colleagues. As you have seen, your Honors, the arguments of the defense were found to be inconsistent and incapable of refuting the charges.

Now I shall consider the question concerning the guilt of individual defendants.

GOERING

In Hitlerite Germany the defendant Goering was next in importance to Hitler himself. He was his first successor. He took upon himself extensive powers, and seized the most responsible posts.

He was the President of the Cabinet of Ministers for the Defense of the Reich, he was the Fuehrer for the direction of German economy—the Plenipotentiary General for the Four Year Plan and the Commander-in-Chief of the Airforce. The main point is that this extensive field was utilized by him and all his forces were dedicated to the organization and the realization of the crimes which are set out in the Indictment.

As we already know, the essential element of this conspiracy consisted in the submission of Europe prior to world supremacy of the Hitlerite Germany, regardless of any methods, however inhuman and criminal. To achieve this aim, a way had to be cleared, as Hitler declared already in February 1933 at a conference with the prominent German industrialists, and the Parliament system must be destroyed. Goering took upon himself this task. He exterminated ruthlessly the political opponents of Fascism, and for this purpose carried out mass arrests of the members of political parties unfavourable to the Naziism.

He organized concentration camps, where he interned without trial all people who disagreed with Fascism. He created the Gestapo, which from the day of its birth established a bloody regime of terror. He demanded of all the officials in the camps and the Gestapo to hesitate before nothing—and savage punishments of the people, mutilations and massacres, became—under his direction—the elementary working methods.

It is he, Goering, who declared: "Each bullet fired from the pistol of a policeman, is my bullet, and if anyone calls it murder, this means that I have committed murder" (from Goering's book "Rebirth of a Nation"—published by him in 1934; *2324-PS, USA 233)*.

He thus cleared the way for Fascism, and paved the way for the unhampered progress and the realization of the Fascist conspiracy. Goering was tireless in his efforts to annihilate everybody and everything which hampered the consolidation of this conspiracy. And Hitler praised him for this. For example, on 13.7.1934 he declared to the Reichstag that Goering: "* * * with his iron fist smashed the attack against the National Socialist state before it could take force". *(3442-PS, USA 576)* All this terroristic activity of Goering's was calculated to clear the way for the realization of the fundamental idea of the Fascist conspiracy, i.e. the conquest of Europe, and to achieve world supremacy of the Hitlerite Germany.

The legal proceedings have proved Goering's guilt in the planning and the preparation of aggressive wars by the Hitlerite Germany. Numerous documents have been presented to the Tribunal, testifying to the active part played by Goering in the initiation of aggressive wars. I shall remind you of Goering's declaration in 1935 at a conference of the Luftwaffe officers. At that conference he declared that it is his intention "to create the Luftwaffe which shall strike the enemy as an avenging blow. Even before the attack, the enemy must feel that his cause is lost", and this intention, as we know, he put into effect, preparing for war from day to day *(3441–PS, USA 437)*.

At the conference of the leaders of German air industry, on 8 July 1938, Goering hints that war is near, and that, if Germany come victorious out of it, she will be the most powerful state in the world, dominating the world market and she will become rich. To obtain this objective "We must be prepared to take risks". Such was the slogan which Goering threw on that occasion. *(R–140, USA 160)*

On 14.10.1938, not long before he presented demands to Czechoslovakia Goering declares that he has began carrying out a vast program in comparison with which previous undertakings were insignificant. *(1301–PS, USA 123)* "In the shortest possible time, the Luftwaffe must be increased fivefold; the Navy must be rearmed at a much greater speed, and the Army must be rearmed much more extensively * * * especially as regards the heavy artillery and the heavy tanks. At the same time, the production of war materials and explosives must be intensified.

The active participation of Goering in the preparation for aggression against the USSR has been established beyond all doubt. *(447–PS, USA 135)* The Tribunal will find proof of Goering's active participation as early as November 1940 in the development of a plan for the attack against the USSR, in the record of the conference of 29 April 1941 on the organization of the economic staff "Oldenbourg", in the record of the conference which took place on 23 February 1941 at the house of General Thomas, as well as in the testimony of Goering himself during the session of 21 March 1946.

It was Goering who, together with Rosenberg, Keitel and Bormann, at the conference with Hitler on 16.7.1941, gave concrete form to the plans for the dismemberment of the Soviet Union, the enslavement of its peoples and the plundering of its riches. *(L–221, USA 317)* The plan to "level Leningrad to the ground and hand it over to the Finns" was conceived with his participation. It was he who recommended that hangman of Koch for the post of Reichskommissar for the Ukraine, as a "personality with great initiative and good training".

Therefore, it can be considered that the guilt of Goering in the planning and the preparation of aggressive wars by the Hitlerite Germany has been fully established, and for this he must bear responsibility.

My colleagues have already drawn the attention of the Tribunal to the criminal treatment of the prisoners of war. I shall only remind the Tribunal of the testimony given by the witness Moris Lamp during the evening session of 25.1.1946, concerning the executions of Soviet, British, French and other officers in the Mauthausen camp, the extermination camps of Auschwitz and Majdanek, the Notes of People's Commissar for Foreign Affairs of USSR, Molotov, of 24.11.1941 and 27.6.1942, presented to the Court, concerning the monstrous treatment inflicted by the German military authorities on the Soviet war-prisoners, for which Goering is personally greatly responsible. I shall also remind about the depositions of the witness Halder on 31.10.1945 which described the conference at Hitler's office on the non-application of the Hague covention with respect to the treatment of Russian war-prisoners and the order issued from Hitler's headquarters on 12.5.1941 concerning the treatment of captured Russian commanding officers and political workers. *(884–PS)* All these facts of crimes, established beyond doubt before the Court, have no need for further clarification, as the Defense was unable to advance in their statements any arguments refuting them.

In the "12 Commandments for the behaviour of the Germans in the East" of 1 June 1941, the sixth commandment reads as follows *(USSR–89):*

> "You must clearly understand that for a whole century you are the representatives of great Germany and the standard-bearers of National Socialism in new Europe. You must, therefore, with full conscience of your worth, carry out the most ruthless and most cruel measures which shall be requested of you by the State."

The initiation of the systematic persecution and extermination of the Jewish population, is connected with the name of Goering. It was he who signed the misanthropic Nurnberg decrees, the decrees for the expropriation of Jewish property for the imposing on the Jews of the penalty of one billion and other decrees; such activity was in full keeping with the whole world of Goering's cannibalistic conception of the world.

At the trial Goering denied that he was an adherent of the racial theory whilst in 1935, he made a speech before the Reichstag in the defense of the Nurnberg racial provocators. On that occasion, he loudly declared *(3458–PS, USA 588):*

> "* * * God has created races. He did not will equality and for this reason we reject energetically every attempt to pervert the idea of the purity of race * * *."

Numerous documents presented to the Court by the Prosecution, expose the criminal actions of Goering in respect to other nations. Goering's order issued on 19 October 1939 demonstrates clearly the attitude of the defendant towards the Polish people, the Polish State. *(EC-410, USA 298)* In an order relating to the economic policy in the East, issued on 23 May 1941, just before the attack on the USSR, Goering writes as follows on the attitude towards the Russians *(EC-126, USA 316; USSR-93; USSR-36; USSR-60):*

> "Germany is not interested in maintaining the productivity in this territory. She is supplying food only to the troops stationed there * * *. The population in those regions, and especially the urban population, is doomed to starvation. It will be necessary to deport this population to Siberia."

In his capacity as Plenipotentiary for the Four Year Plan, Goering is responsible for the plunder and the spoliation of state property and personal property of the citizens, carried out by the Nazis on occupied territories of the USSR, in Czechoslovakia, Poland, Jugoslavia, and other countries. It was indeed Goering who headed the activity of the Nazi conspirators directed towards the economic plunder of the occupied territories of the USSR. *(USSR-93; USSR-36; USSR-60)*

A conference in connection with the elaboration of economic measures according to case Barbarossa took place on 29 April 1941, prior to the treacherous attack against the USSR. As a result of this conference, there was created the economic staff of special purpose "Oldenbourg" which was subordinated to Goering. The creation of special economic inspectorates and units in the largest centers of the USSR was planned; they were to handle important tasks for the utilization and the plunder of Soviet industry and agriculture. *(1157-PS, USA 141)*

The file of the district agricultural fuehrer contained instructions to agricultural fuehrers, who were given full freedom in the choice of methods for the fulfillment of their criminal aims. The demand for ruthless treatments of the Soviet peoples, and, in the first place, of the Russians, the Ukrainians and the Byelorussians, were put forward. *(USSR-89)*

The report of the USSR Extraordinary State Commission on the crimes committed by the Hitlerites in Kiev, in the region of Stalino and other places, states that these criminal plans of the defendant Goering and his accomplices were for the greater part realized. *(USSR-2; USSR-9)*

To secure the necessary manpower for the German war industry and agriculture, and at the same time for the purpose of physical extermination and the economic weakening of the enslaved peoples, the defendant Goering and his accomplices in the Nazi conspiracy, utilized the labour of foreign workers.

The utilization of forced labour had been planned by the Nazis even before the war. It is sufficient to remind you of the conference at Hitler's office, which took place on 23 May 1939, and in which the defendant Goering also took part. *(L–79, USA 27)*

At the conferences of 7 November 1941 and in his order issued on 10 January 1942, Goering demanded of all the departments subordinated to him, the securing of necessary manpower for the German industry, at the expense of the population of the occupied Soviet territories. *(USSR–10; USSR–386; USSR–379)*

On 6.8.42 Goering held a conference with the Reichskommissars for the occupied territories and the representatives of military command. *(USSR–170)* Addressing himself to the participants in this conference, Goering said:

> "You are being sent there not to work for the welfare of the peoples entrusted to you, but for the purpose of squeezing out all that is available * * *. You must be like hounds, where there is still something left. I intend to plunder and to do it efficiently."

These intentions were carried out. Goering plundered; the Reichsministers plundered, and Reichskommissars for the occupied territories plundered; the representatives of military command plundered, beginning with generals and ending with ordinary soldiers.

Such was the activity of the defendant Goering. There is not a single measure executed by the Fascist party, not a single step taken by the Hitlerite Government, in which Goering did not participate. He participated actively in all the crimes of the Fascist gang and for all his deeds he must be duly punished.

HESS

The defendant Hess occupied a leading position among the Nazi conspirators from the very beginning of the Nazi empire.

It was Hess who had been the leader of the Fascist organization, of the University of Munich. It was he who had participated in the Munich Putsch. It was he, who, together with Hitler had worked at the Bible of Fascism, "Mein Kampf", carrying out the duties of Hitler's private secretary. It was he who had been president of the Central Political Commission of the Fascist Party, and it was he who had carried into effect the bestial policy of the Fascist cutthroats as "Deputy-Fuehrer" after the seizure of power.

It was indeed Hess to whom, according to Hitler's decree of 21 April 1933, "the full right was given to take decisions on behalf of Hitler on all questions concerning the leadership of the party." *(3196–PS)* After this, Hess continued to take over one new post after the other in Hitler's government. After 1 December 1933 he was Reichsminister "without portfolio" to secure close collaboration of the party and shock troops with the civil authorities *(1395–PS, GB 252);* on 4 February 1938 he was appointed member of the secret council *(3189–PS, GB 249);* on 30 August 1939, member of the Cabinet for the defense of the Reich *(2018–PS, GB 250)*, and on 1 September 1939 Hitler declared Hess as successor of Goering. Hess was also appointed Obergruppenfuehrer SS and SA.

By the Decree of 27 July 1934 Hitler obliged all leaders of all the departments and ministries of Germany to present projects of laws to Hess for preliminary sanction. *(D–138, USA 403; D–139, USA 404)* Hess had to select and nominate leadership corps of the Fascist cadres. This is testified to by Hitler's decree of 24 September 1935 and by other documents submitted to the Tribunal by the Prosecution. *(3180–PS)*

We must take special notice of the active part played by Hess in planning and carrying out aggressive wars. All the aggressive actions of Hitler's Germany had been planned and prepared with the direct assistance of Hess and the party machinery of the Nazi was subjected to him. Already on 12th October 1936 in his speeches made in Bavaria, Hess appealed to the German "to use a little less fat, a little less pork, fewer eggs * * *." "We know", said Hess, "that the foreign currency that is saved in this way, goes for armament. And the slogan of the day is 'Cannons instead of butter.' " *(M–104, GB 260)* Hess spoke about this on the eve of his flight to England on 1st May 1941, speaking at the Messerschmitt factory when he made an appeal for the continuation of an aggressive war. *(M–105, GB 261)* Together with Hitler, Goering and other leaders of the Nazi conspiracy, Hess signed the decrees concerning the annexation of other territories seized by the Germans.

The misanthropic Nurnberg laws, for the publishing of which the defendant is also responsible, contain a special provision authorizing Frick and Hess to issue the necessary decrees to carry these laws into effect. Hess signed the law on the "protection of race and honour", the decree of 14 September 1935 depriving the Jews of their right to be employed at public offices *(3179–PS)*, and also the decree of 20 May 1938 extending the Nurnberg laws to Austria. The question of the part played by Hess in organizing a network for spies and terroristic groups abroad, in creating SD

(Security Service) and recruitment of SS units has been sufficiently elucidated at this trial.

The very position occupied by Hess in the Fascist Party and Hitler's Government shows the active leading participation of the defendant in the preparation and realization of the common criminal plan of the Fascist conspirators, consequently an enormous share of the guilt and responsibility for the crimes against peace and for the war crimes and the crimes against humanity.

Your Honours, in order to evaluate more correctly the importance of the criminal activity of the defendant Hess as one of the notorious leaders of the Nazi Party and Hitler's Government, I shall remind you of the article in the newspaper "National Zeitung" of 27 April 1941, dedicated to Hess *(M–102, GB 254):*

> "Many years ago, it was before the beginning of the war—Rudolf Hess was called "the conscience of the Party". If we inquire why this honorable name was given to the Fuehrer's deputy, it is not difficult to answer this question: There is not an event in our public life that is not connected with the name of the deputy Fuehrer. He is so versatile and singular in his work and in his field of activity, that they cannot be described in a few words * * *. Many measures carried out by the Government, especially in the field of war economy and in the party were realized entirely by the deputy Fuehrer.

Hess refused to give explanations to the Tribunal. His Counsel Seidl declared with false pathos that Hess considered the present Tribunal incompetent to judge the German war criminals * * * and immediately afterwards without a pause he presented proofs in defense of Hess.

Hess even tried to declare himself insane to avoid the merited punishment. But when Hess convinced himself that such a maneuvre would not help, he was obliged to tell the Tribunal that he had simulated loss of memory, that it had been a trick of his and he had to admit that he bore full responsibility for all that he had done and signed together with the others.

Thus this clumsy attempt of Hess to avoid the responsibility was fully exposed at the trial and Hess must suffer punishment to the full extent, for his participation in the common plan or conspiracy for committing crimes against peace, war crimes and the most heavy crimes against the world and against humanity, committed by him together with the other defendants.

BORMANN

The name of Martin Bormann is closely connected with the setting up of Hitler's regime. He was one of those who committed the most outrageous crimes, aiming at the annihilation of hundreds of thousands of people.

Together with the defendant Rosenberg, Bormann carried on a propaganda of racial theories and persecutions of Jews with cruel perseverance. Numerous instructions were issued by him aiming at the discrimination of Jews in Hitlerite Germany, which afterward had such a fatal effect and resulted in the annihilation of Jews. By this activity of his, he won the confidence of Hitler, he was "authorized to represent the party in the field of government activity" (regulations and orders of the party chancellery v. II p. 228) and he did represent it. Thus, as chief of the party chancellery, he directly participated in the annihilation of Jews, Gypsies, Russians, Ukrainians, Poles and Czechoslovaks.

NSDAP under his leadership became a police organization, in close contact with the German secret police and SS. Bormann not only knew of all the aggressive plans of Hitler's Government, but also took an active part in realizing them. He made full use of the entire party machinery of NSDAP to realize the aggressive plans of Hitler's Government, and appointed the party Gauleiters as Plenipotentiaries for the Reich defense in the regions of their activity. The NSDAP party machinery and Bormann personally, took an active part in all measures of the German military and civil authorities for the inhuman exploitation of war prisoners. This is proved by the murderous instructions and directions issued by Bormann.

The materials of the Prosecution and the legal proceedings have now established the scope of the mass annihilation caused by the bestial ill-treatment of the prisoners-of-war. The party machinery and the defendant Bormann, personally took a direct part in the measures of Hitler's government connected with the deportation of the population of the occupied territories for slave labor. The secret deportation of Ukrainian girls to Germany for forced Germanization, was carried out with Bormann's approval. By Hitler's order of 18th October 1944, Bormann and Himmler were entrusted with the leadership of the "Volkssturm" consisting of all men from 16-60 years of age, capable of wearing weapons. *(3018–PS)*

On the eve of the collapse of Hitler's Germany, Bormann headed the underground organization "Wehrwolf" for divertionist and subversive activity behind allied lines.

Bormann took a direct part in plundering historical treasures and treasures of culture and art in the occupied territories. *(1600–PS, USA 690)* In 1943 he made a suggestion to intensify the economic plunder in the occupied territories. *(061–PS, USA 692)*

Such are the crimes of the defendant Bormann, Hitler's closest collaborator, who shares the full responsibility for the numerous crimes of Hitler's government and of the Nazi party.

RIBBENTROP

Joachim von Ribbentrop was not only one of the principal instigators and leaders of the foreign policy of Hitlerite Germany, but he was also one of the most active participants in the criminal conspiracy.

Having officially entered the Nazi Party in 1932, the defendant however, contributed to the seizure of power by the Nazis, before this actually occurred, and he became shortly the official adviser of the Party, inasmuch as he was the "collaborator of the Fuehrer on matters of foreign policy." *(2829-PS, USA 5)* Ribbentrop's promotion is indissolubly connected with the development of the Nazi conspirators' activity which was directed against the interests of peace.

In his testimony, Ribbentrop declared: "He (Hitler) knew that I was his loyal collaborator". That is why on 4 February 1938, Hitler made the convinced and faithful nazi-Ribbentrop, the official leader of foreign policy, a post which was one of the most important levers for the realization of the entire Nazi conspiracy.

However, Ribbentrop did not limit his activities to the field of foreign policy. As member of the Hitlerite Government, the Reich Defense Council and of the Secret Council, he participated in the solution of all the innumerable problems connected with the preparation of aggressive wars. That is why he, Ribbentrop, although he was Minister for Foreign Affairs, took part in the solution and realization of problems, but faintly relevant to foreign policy, such as the utilization of manpower in wartime, the organization of the concentration camps, and so forth. In this connection, it should be noted that Ribbentrop signed a special, large-scale agreement with Himmler on the organization of a common intelligence service. *(USSR-120)*

Ribbentrop became Reich Foreign Minister precisely at the outset of the realization of the plans of aggression, which visualised the submission of Europe to Germany. This coincidence is no accident, Ribbentrop was considered, not without reason, as the most adequate person for the realization of this criminal conspiracy, he was preferred even to such an expert in matters of foreign provocation as Rosenberg, upon which the latter made an official complaint, not without some reason. And Hitler was not mistaken in his choice, for Ribbentrop fully justified his confidence.

As early as 12 February 1938, a week after his nomination, Ribbentrop—together with Hitler and the defendant Papen, who for a long time prior to this date had been directing the diversionist activity of the Nazi agencies in Austria, participated in a conference at the Obersalzberg.

At this meeting he addressed an ultimatum punctuated by threats, to the Austrian Chancellor Schuschnigg and the latter's

Foreign Minister Schmidt, demanding their agreement to sacrificing the independence of Austria, and this object was attained.

As Minister, Ribbentrop was present at the conference of 28 May 1938, during which a decision was made for the execution of plan "Gruen"—the plan for aggression against Czechoslovakia. In conformity to the Nazi tactics of weakening their future victim by striking at the home front, Ribbentrop constantly kept a close contact with and gave material assistance first to the German Sudeten party, and then to the Slovak nationalists, with the object of attaining an internal split and fratricidal war in Czechoslovakia.

Having seized Czechoslovakia, the Nazi conspirators, and Ribbentrop amongst them, began to make preparations for and to realize the next aggressive act, which had already been outlined by them in their criminal plan against peace—the attack on Poland. Being compelled—because of the recently realized annexation of Austria and Czechoslovakia, to conceal temporarily the further intentions of Germany, Ribbentrop personally, and through the agency of his diplomats, endeavoured to allay the vigilance of the European states, by making hypocritical declarations to the effect that Germany had no further territorial demands. On 26 January 1939, in Warsaw, the Foreign Minister of Fascist Germany, Ribbentrop declared: "that the consolidation of friendly relations between Germany and Poland on the basis of existing agreements, constituted the most important factor of Germany's foreign policy". *(2530–PS, GB 36)* A very short time elapsed, and Poland experienced the value of these assurances of Ribbentrop.

I will not dwell here on the perfidious part played by the defendant Ribbentrop in the German aggression against Denmark, Norway, Belgium, Holland and Luxembourg, for my colleagues have already dealt with this matter convincingly enough * * *.

The defendant Ribbentrop personally participated in the commission of aggression against Jugoslavia and Greece. Reverting to his favourite method of giving false guarantees in order to conceal the future aggression, defendant Ribbentrop assured Jugoslavia in April, 1938, that after the Anschluss Germany's frontiers with Jugoslavia were considered as final and unalterable. At that time manifold preparations for aggression were being carried out with the assistance of the defendant Ribbentrop. On 12 and 13 August 1939 at the conference of Hitler and Ribbentrop with Ciano at Salzburg an agreement was reached concerning the liquidation of the neutrals one after the other.

With the direct and immediate assistance of the defendant Ribbentrop the Nazi conspirators planned, prepared and carried out the treacherous attack on the USSR on the 22nd of June 1941.

The defendant Ribbentrop himself admitted here, in the Court room that at the end of August and the beginning of September 1940, i.e. at the time when the elaborate plans of the plan "Barbarossa" was being carried out as it is evident from the depositions of General Warlimont, General Mueller and Fieldmarshal Paulus the defendant Keitel was discussing with him the question of attacking USSR. *(446–PS, USA 31; 447–PS, USA 135; USSR 263; USSR 149; USSR 156)* The activity of the defendant and the ministry directed by him, played a primary part in the organization of war against the USSR with the participation of Finland.

Already after the beginning of the aggression of Germany against the Soviet Union the defendant Ribbentrop continued to apply his effort to attract new accomplices to Germany's side. Thus in a telegram to the German Ambassador in Tokio of 10th July 1941 he said: "I beg you to try all means at your disposal to influence Matsuoka in order to make Japan start war against Russia as soon as possible. The sooner—the better. The final aim should be that Japan and we shake hands on the Siberian railway before winter comes on." *(2896–PS, USA 155)*

As it has been established at this trial Ribbentrop together with the other defendants was preparing the policy of extermination and plunder, planned by the Hitlerites and then applied it in the temporarily occupied territories of Soviet Union. The defendant, Rosenberg who was elaborating the plans of exploitation of the occupied territories in Eastern Europe, held a conference on this question with OKW, the Ministry of Economics, Ministry of the Interior. In his "Report about preparatory work on the Eastern-European question" he wrote: "As a result of the negotiations with the Ministry of Foreign Affairs, the latter appointed General Consul Mr. Braeutigam as their representative to Rosenberg." *(1039–PS, USA 146)*

Thus it is indisputable that Ribbentrop not only knew about the preparation for the military attack on USSR, but that he, together with the other conspirators, had planned beforehand the colonization of the territory of the Soviet Union, the enslavement and extermination of the Soviet citizens. The defendant was compelled to admit that he had known the notes of the Public Commissar of Foreign Affairs V. M. Molotov concerning the atrocities of the Hitlerites in the temporarily occupied territories of the Soviet Union. He, as well as the other conspirators, had also known the other declarations of the Chiefs of the Allied Governments concerning the responsibility imposed upon the Nazi Government for committing the monstrous atrocities in the occupied countries.

Ribbentrop, as the witness for the defense the former Secretary of State at the Ministry of Foreign Affairs confirmed, had been one of the initiators and was intended to be nominated honorary member of the International Anti-Jewish Congress which the Germans supposed to convene in July 1944 in Cracow. Ribbentrop himself admitted at the Trial that he had negotiated with the Governments of European countries about the banishment of the Jews. According to the record of Ribbentrop's conversation with Horty "The Minister of Foreign Affairs declared to Horty that the Jews should be either exterminated or sent to concentration camps. There could be no other decision". This sufficiently confirms the fact that Ribbentrop was aware of the existence of the concentration camps though he tried hard to prove the contrary.

Ribbentrop lent his support to other Nazi leaders and above all, to the defendant Sauckel, in deporting the inhabitants of the occupied territories for forced labor in Germany.

Besides, defendant Ribbentrop, by carrying out the common plan of conspiracy including the destruction of the national culture of the peoples of the occupied territories, took a most active part in plundering treasures of culture, which are the common property of all nations. In order to carry out this task, and on Ribbentrop's instructions, a "Battalion of Special Service" had been created at the Ministry of Foreign Affairs, which, during the whole war, followed the advance units, requisitioned and deported to Germany all kinds of treasures of culture from the occupied territories in the East, according to the directives of Ribbentrop.

Thus the defendant Ribbentrop took part in the seizure of power by the Nazis, played a leading role in planning, preparing and waging aggressive plundering wars; together with the other conspirators, he participated, according to the Fascist plans in the leadership, when committing most heavy crimes against the nations, whose territories had been temporarily occupied by the Hitlerite invaders.

The Military Group

Several of the defendants in the dock at this major War Criminals Trial may be said to form a military group. If we do not include Goering who represents a peculiar figure, uniting in one person—politician, administrator, and soldier, there remains Keitel, Jodl, Doenitz and Raeder. In the course of these proceedings not only have all the counts of the indictment against them been sustained, but as a result, even more incriminating evidence has been brought to light.

The documentary evidence, the testimony given by the witnesses, including those applied for the Defense, could not but tip the scales in favor of the Prosecution.

The counsel for the defense tried to convince the Tribunal that their clients had become involved in this sinister tragedy by a whim of fate in spite of themselves.

The defendants themselves—Keitel, Jodl, Doenitz and Raeder here in court, try to appear in the role of noble simpletons. We must do the defense justice: it did its best to aid them in this attempt. We have heard a great deal about the soldier's honor, military discipline, fidelity to duty and oath of allegiance—all making obligatory, therefore, the fulfillment of Hitler's orders, including those which aroused their doubts and direct protest. Such a view of their position completely distorts the actual state of affairs. Before passing to the question of the guilt of Keitel, Jodl, Doenitz and Raeder, I deem it necessary to put the following four questions, and to answer them:

1 Did these defendants know that Hitlerite Germany, in violation of its international obligations had prepared a series of aggressive and predatory wars?

2 Did they take an active part in planning, preparing, unleashing and waging of these wars?

3 Are they guilty of cynically trampling down the laws and customs of warfare?

4 Are they responsible for the atrocities and extermination of the peaceful population, for the sinking of passenger and hospital ships, for the towns and villages destroyed by the Hitlerite Reich military machine?

It seems to me that after this investigation which has so carefully gone into all the details of this case, unless one remains blind to the facts, it is impossible to give other than an affirmative answer to these questions.

The documentary evidence submitted to the Tribunal has fully proved that the military group of criminals is guilty of the heaviest crimes and that they have actively participated in the planning and execution of the common criminal conspiracy.

The fact that these crimes were committed by men in uniform not only does not serve to mitigate their responsibility, but, on the contrary, only heightens it.

How can they try to acquit themselves by referring to "a soldier's duty", "an officer's honor", and the "obligation of fulfilling orders". Since when has "soldier's duty" and "officer's honor" become compatible with shooting without trial and branding as prisoners, extermination of women, children and aged people.

The only true and correct explanation of the amazing fact that these generals and admirals were committing what in substance were capital crimes, lies in the fact that they were generals and admirals of Hitler's making. These are men of special metal. They are Fascists in uniform, bound body and soul to the Nazi regime.

This is the only reason why Hitler gathered these men about him and collaborated with them for so long a period of time. This is the only way to explain why they collaborated with Hitler in committing such crimes unprecedented in history. They fitted and understood one another to perfection.

KEITEL

It is only natural that in speaking of the military group I would begin with defendant Keitel. Keitel held the leading post in Hitler's military machine from the very first years of its conception. Keitel's counsel admits that the decree (of February 4th 1938) gave Keitel the wonder title for his position—"Chief of the OKW". Further he goes on to say: "* * * the factual significance of Keitel's activities was immense. It was a monstrous, extremely ungrateful job and its miserly remuneration was a brilliant position in the immediate proximity to the head of the state."

In the light of subsequent events it may be taken for granted that the primary stage of all the future wars of aggression included everything connected with the secret rearmament of Germany after the Versailles treaty. It is difficult to minimize the significance of all that was done at the time by Colonel Keitel in the Committee of Experts which painstakingly and consecutively sought and found means of circumventing or violating the treaty. It was none other than Colonel Keitel in particular who gave instructions to the effect that in Geneva it was possible to say what one pleased but care must be taken not to leave anything behind on paper. This cynical statement fully tallies with the role played by Keitel in the subsequent preparation and execution of aggressive wars.

During the negotiations between Hitler and Schuschnigg the living reminder of Germany's preparedness to resort to arms was the person of Keitel *(C–102, USA 74)*. Keitel issued orders for troops to cross over into Czechoslovakia at the time when President Hacha was so treacherously called to Berlin "for continuing negotiations."

It was the OKW and no other organization which was fully prepared through the ABWEHR'S department to provoke an incident with Czechoslovakia in order to justify the invasion by the German hordes, ready to fall upon Czechoslovakia. *(388–PS, USA 26)*

In his strictly confidential memorandum Keitel demanded that

Hess and Himmler advise the OKW in advance of all measures taken by party organizations or police which were not included in the case Green "Fall Green". The declarations alleging that after the seizure of Czechoslovakia Germany had no more territorial aspirations in Europe were downright lies. This was but a link in the chain of aggressive wars.

I wish to emphasize the leading role of the OKW in the preparation and carrying out of aggression. The directive regarding the waging of war and invasion of Poland is known to us as Keitel's and Hitler's directive of 10 May 1939. It was forwarded to the command of the Air Forces, Navy and Land Forces. How is it possible after this to maintain that the OKW was not the driving power behind the armed forces of the Fascist Reich? If we once more peruse the documents pertaining to German aggression against Norway, Denmark, Belgium, Holland, Luxembourg, Yugoslavia and Greece we again come across the name of Keitel. He appears as a participant of the most important events as author of secret orders addressed to Raeder, Goering and the General Staff. *(448–PS, GB 118)* We find the initials of Keitel and Jodl entered in their own hand on the secret directive signed by Hitler regarding the "Operation Marita".

Much has been said here of the "Plan Barbarossa" and its authors. At present it is important to stress that this document took shape in the depths of the OKW at its initiative and that the planned methods of a treacherous attack on the USSR were also the work of the OKW. The significance of a military specialists visa on a document is clear to everybody. Some of the defendants attempted to portray the attack on the USSR as preventive war. This contention is to such a degree unconvincing and contradictory to the irrefutable evidence presented in court (German documents) that I see no need for occupying the Tribunal's time.

Keitel's defense counsel stated that the defense of this defendant is based on the point of view that Keitel—"is fighting not for his head but to save his face." I wish to aid the Tribunal in seeing the true face of Keitel. For this I shall have to remind you of a number of Keitel's directives which may well lay claim to being among the foremost of all the infamous documents pointing to the barbarity of the German military clique, its baseness and extreme scorn for all conceptions of rules and customs of warfare.

Let us consider the documents dealing with the shooting of Political Officers. Keitel, the soldier, as he likes to call himself, ignoring his oath, shamelessly lied to the representatives of the American Prosecution at his preliminary investigation by avowing that to begin with this order was in the nature of a counter reprisal and that the political officers were separated from the other prisoners of war at the request of the prisoners themselves. At the trial he was unmasked. Exhibit No. RF (v) –351, 884–PS proved that this directive had been issued before the war had broken out. We also submitted a document under Exhibit No. USSR–62 (the text of a letter of German Prisoners of War). This document makes it clear that even before the attack on the USSR the army in the field had been instructed to absolutely exterminate Soviet women in military service as well as political officers.

And what can be said of the following statement dreadful in its unlimited cynicism: "Human life in these countries concerned us absolutely of no account * * * a terrifying influence can be achieved only through unheard of brutality." *(RF 271; R–98; 389–PS)*

And what can be said of the directive of 13 May 1941 introducing court martial in the Barbarossa region? And of the order of 16 September 1941 calling for the execution of 80–100 communists for each German killed? *(C–50, USA 554)*

What could Keitel say about the document known as "Nacht und Nebel"? *(L–90, USA 503)*

These are sanguinary documents. No one can compute how many thousands of prisoners of war—soldiers and officers of the Red Army had been killed and tortured in the camps of Fascist Germany. You remember how on 21 January 1946 at the evening session witness Lamp testified that for the amusement of Himmler the shooting of 50 Soviet officers was organized in the Mauthausen camp. You remember witness Blaha testifying that in the spring of 1944, 94 Soviet senior military officers were tortured and then killed for refusing to give military information. *(USSR–52)*

I wish to mention the testimony of SS man Paul Waldman regarding the slaughter of 840 Russian prisoners of war. You remember the testimony of witness Kivelsh regarding the endless chain of torture and suffering to which Russians, taken prisoner by the Germans, were subjected to.

It is impossible to pass by Keitel's directive calling for the branding of Soviet prisoners of war. One cannot forget the Keitel directive of the 16 December 1942. It is entitled "measure to be taken against bands". Under the word "bands" defendant Keitel understood any resistance movement and demanded that his troops revert to harsh methods, stopping at nothing even in regards to women and children. *(USSR–16; USSR–343)*

The Soviet Prosecution submitted the testimony Lecourt under Exhibit No. USSR–162. Lecourt states that he shot and burned Soviet citizens, razing their houses. He alone had shot over 1,200 persons and for this achievement he was promoted to the rank of Obergefreiter and awarded the medal for service in the East. He acted in accordance with the directives of Keitel.

Keitel's directive instituting court martials in the "Barbarossa" region freed such persons of all responsibility. Keitel's hands are stained with the blood of the victims of Lecourt and his like. It was in carrying out Keitel's directive stating that life in the Eastern regions was of no value, that the soldiers and officers of Hitlerite Germany committed their atrocities. *(C–50, USA 554)*

Exhibit number USSR–51 submitted by the prosecution shows how, on the 28 August 1941, attacking German troops drove a group of women, children and old men before their formations. In the village of Kolpino the Fascists shot the peasants who had been forced into digging trenches and bridges for them.

In Yugoslavia mass shootings of hostages became a daily feature with the military command and military administration. *(USSR–261; USSR–391; USSR–392)* In a secret report dated 15-2-1940 submitted to Goering the OKW justifies the practice of taking hostages.

I wish to conclude with document USSR–336 *(EC–338)*, which your honors, of course, remember. In this document Admiral Canaris informs Keitel of the unbridled cruelty in the prisoner-of-war camps, of the hunger, and mass shootings of Soviet prisoners of war. Even the out and out Fascist spy Canaris, fearing eventual responsibility could not ignore such unbridled cruelty and flagrant violation of accepted laws and customs of warfare. You will remember Keitel's notation on this report: "I approve of and back these measures".

On April 7, 1946, during the cross examination, I put the following question to Keitel: "You, Defendant Keitel, known as Fieldmarshal, repeatedly referred to yourself as a soldier before this Tribunal, and you, by your sanguinary notation, approved of and sanctioned the murder in cold blood of thousands of soldiers who had fallen prisoner. Do you confirm this?" Keitel was forced to admit this fact.

This one resolution alone unveils the true and real face of Fieldmarshal Keitel. The highly involved arguments of the defense cannot absolve Keitel of his responsibility for the bloodshed and innumerable human lives torn short by the hand of the Fascist military machine in carrying out orders and directives signed by his hand.

JODL

The defendant Alfred Jodl bears equal responsibility together with defendant Keitel as his assistant and as closest military adviser of Hitler's. All that is connected with preparation and execution of the aggressive plans of Hitlerite Germany is inseparably linked with the name of Jodl as well as with that of Keitel. There is no need to repeat anew all those aggressive acts of Hitler's Germany which are already facts of common knowledge, each of which had been planned and executed with the direct participation of defendant Jodl.

As the representative of the Union of Soviet Socialist Republics, I should like to emphasize once more that the criminal plan of the perfidious attack on the Soviet Union, coded by the Hitler's gang under the name of the ill-fated conqueror Frederick Baross, is signed not only by Hitler and Keitel but by Jodl as well. But this is more than a mere signature.

As early as the summer of 1940 in Reichenhall, Jodl held the first conference of his staff-officers, at which the question of the possibility of an attack by Hitler Germany on Soviet Russia was discussed. *(USSR–263)* It was no one else but defendant Jodl who even before the attack against the USSR actually was carried out issued his well-known "Instructions on the use of propaganda in the region of 'Barbarossa'." In these instructions it is unequivocally stated that "as yet propaganda aimed at the partition of the Soviet Union should not be carried on." *(C–26)* Thus, defendant Jodl knew beforehand of the actual aims of Germany's attack on the USSR, knew of the piratical and predatory nature of the war which called for the dismembering of the Soviet Union.

It was Jodl who took part in the preparation and organization of the provocative incident on the Czechoslovak border with the aim of justifying this aggressive act of Hitler Germany against this peace loving nation. It was Jodl who signed the order of the 28 September 1938 regarding the uses of the so-called Heinlein Corps in case the "Case Green" was realized. *(3061–PS, USA 126)* How full of mockery sound the defendant Jodl's words of "soldier's honor" after reading his order on the destruction of Leningrad, Moscow and other cities of the Soviet Union. *(C–123; USSR–114)* It was this very same Jodl who with inimitable cynicism declared at a conference with Hitler on the 1 December 1941 that German troops could with impunity "hang, hang by the feet and quarter" Soviet patriots.

As the closest military adviser of Hitler's, having personally participated in the preparation and execution of all the sanguinary aggressive plans of Hitlerites Germany, defendant Jodl has been justly included in the ranks of the major German War Criminals.

My British colleague has proved the guilt of defendants Carl Doenitz and Erich Raeder so convincingly and thoroughly that I see no need to dwell especially on these Grossadmirals of Hitlerite Germany, who have disgraced their admirals' uniforms with such infamous crimes.

In the course of his cross-examination Doenitz told the Soviet Prosecutor that he was unaware of the reasons for which Hitler nominated him as his successor. I don't think that Doenitz was quite sincere in making this statement. One has but to refer to the transcripts of the sessions beginning with the 8th May, in order to understand without his acknowledging it, why he become Hitler's successor, when the Hitlerite Reich went to the bottom. The important point is not the fact that an Admiral was needed at a moment like this, but the fact that only the Nazi Grossadmiral Doenitz, in the opinion of Hitler who was about to fade from the picture, could do anything to save the sinking ship.

Under Hitler, Doenitz commanded the submarine weapon of the German Reich. We know the role which the German U-boats played in this war. In this connection it is worthy of emphasis that Doenitz was proud of being the author of the so-called "wolf-pack tactics". Soviet people have not forgotten how Doenitz's submarines sunk in the Baltic and Black Seas hospital ships and steamers evacuating peaceful citizens—women and children.

The last head of the Hitlerite government should be one of the first to pay for all those crimes which led to the trial of the major war criminals before the International Military Tribunal.

The name of Raeder is linked with the sacrilegious directive for the destruction of Leningrad.

At the trial Raeder tried to play the part of an "honest soldier". But the mere fact that it was he, together with Hitler and Keitel, who conspired to "wipe Leningrad off the face of the earth" and to exterminate more than three million population of that great city, whose very name is indissolubly connected with the development of the culture and history of mankind, makes Raeder one of the major war criminals.

Raeder took part in working out all the most important plans of aggression of German Fascism. This participant in the criminal Fascist conspiracy must therefore bear punishment together with his associates.

The defendant Ernst Kaltenbrunner was considered by Himmler to be the most deserving successor to that henchman, Heydrich, executed by Czech patriots. On 30 January 1943, he was appointed Head of the Reich Main Security Office and Chief of the SD.

Numerous documents, and especially orders signed by Kaltenbrunner, for the mass deportation of people into concentration camps, the testimonies of his subordinates, including the depositions of Walter Schellenberg, the former Chief of the Interior, Security Service, fully convict Kaltenbrunner of heinous crimes.

At the session of 12 April 1946 in the course of Kaltenbrunner's examination the testimonies of Johann Kandutor, ex-prisoner of Mauthausen, were read into the record. In his depositions, Kandutor describes as follows Kaltenbrunner's pasttime during one of his visits to the camp: "Laughing, Kaltenbrunner entered the gas chambers; then the prisoners were led from the barracks to the execution and all the three methods of execution were demonstrated—hanging, shooting into the nape and asphyxiation by gas." I shall not dwell upon the numerous proofs which are available, as they have been sufficiently clarified before the Tribunal.

There is only one point of the accusation against Kaltenbrunner, on which I deem it necessary to dwell. Together with other RSHA organizations, Kaltenbrunner took over from Heydrich five "Einsatzgruppen". The citizens of the Soviet Union remember well these criminal organizations of the German Fascism, headed by Kaltenbrunner. The "Einsatzgruppe A" reached the approaches to Leningrad. It created the "Fort of Death #9" near Kaunas, the secret points for mass extermination of human beings in Panarai; it carried out the executions by shooting in the woods of Salaspinsk and Bikerneksk near Riga; it erected gallows in the parks of one of Leningrad's suburbs, the Pushkino. *(USSR-7; USSR-41; USSR-39)*

The Einsatzgruppe B" settled down in the vicinity of Smolensk. It burnt alive the peasants of Byelorussia; it shot down the victims of the awful Pinsk "action"; it drowned thousands of Byelorussian women and children in the Mosyr marshes; it operated with murder vans in Minsk; it liquidated the ghetto in the Upper Gardens district of Smolensk. *(USSR-3; USSR-14; USSR-48)* The "Einsatzgruppe C" was quartered in Kiev. This group carried out the mass "action" in Baby Yar near Kiev, an execution unmatched for its cruelty, when 100,000 Soviet citizens perished on a single day. *(USSR-14; USSR-9)* The "Einsatzgruppe D" operated in the southern regions of the temporarily occupied territories of the Soviet Union. This group was the first to experiment with the murder vans on the Soviet citizens in the district of Stavropol and in Krasnodar. *(USSR–14; USSR–1; USSR–42)*

And when Kaltenbrunner's fate will be decided, all these human beings, asphyxiated in the "murder vans" near Stavropol, buried alive in the graves near Kiev and Riga, burnt alive in the Byelorussian villages, cannot be forgotten. All these innocent victims are on his dirty conscience. The successor of a hangman, Kaltenbrunner was a hangman himself, and he had the charge of the most horrible aspect in the common criminal plan of the Hitlerite gang.

ROSENBERG

I shall now summarize the evidence pertaining to the guilt and the responsibility of the defendant Rosenberg.

In spite of Rosenberg's efforts to minimize his role and importance, in spite of his efforts to juggle with historical facts and events, he cannot deny that he was the ideologist of the Nazi party, that already a quarter of a century ago, he laid the "theoretical" foundations of the Fascist Hitlerite State, and that during this whole period he corrupted morally millions of Germans, preparing them "ideologically" for the monstrous crimes committed by the Hitlerites, crimes unprecedented in history, and which are the subject of this trial.

When, at the trial, Rosenberg was asked: "Were you not one of Hitler's closest collaborators"?, he did not even speak—he shouted in reply: "that is not true, I never was". But however hard Rosenberg tried to renounce his "Fuehrer", he has not succeeded in washing away the stigma of "one of the oldest and the most faithful of Hitler's comrades-in-arms" *(3559-PS, USA 600)*. For twenty-five years, Rosenberg, acting first as Hitler's collaborator and afterwards under his direction, worked out and assisted in the realization of the fantastic plans for world supremacy, having chosen for the justification of these criminal plans, the misanthropic theory of racism. The fact that Rosenberg utilized for his purposes the refuse of science and borrowed some of his theories from Karl Luger and Paul Lagarde, Count Gobino and Liapouch, Oswald Spengler and Arthur Meller, cannot influence the solution of the question on Rosenberg's responsibility and guilt.

The important fact is that Rosenberg, having assembled all these excrements of science, raised the racial theories to a degree of racial fanaticism, and educated in this spirit the members of the Nazi Party and the German youth. And when the representatives of the "master race" elaborated and committed acts of aggression, when the German oppressors enslaved and exterminated nations and peoples, when the factories of death were created at Majdanek and Auschwitz, Rosenberg's share in all these crimes was great. All this was the outcome of the Fascist racial ideology, the essence of which consists in the idea that the "aryan", "north-germanic" race is a "master race", and that all other races and nations belong to "lower strata".

Rosenberg's counsel said: "the Tribunal must judge crimes and not theories". In Rosenberg's case such an argument is clearly unconvincing. For Rosenberg, not only confessed the Fascist racial theory, but he knowingly propagated it and instilled it into the conscience of the German people, this theory which became a direct menace to the existence of the democratic European states. The person who carries microbes must be isolated, but the person who willingly disseminates microbes, must be tried.

Rosenberg's criminal activity was not limited to the ideological preparation for aggression and to the propagation of misanthropic theories. His activity had many facets.

The criminal activity of the foreign-policy department of the NSDAP has already been sufficiently clarified at this process, this department which for many years was subordinated to the defendant Rosenberg, was in charge of the half-legal Nazi agencies abroad. The participation of this organization in the foreign policy measures undertaken by the Hitlerite Germany and in the initiation of aggressive wars, is very great.

One of the documents submitted by Neurath's Counsel and accepted by the Tribunal, reads as follows:

> "* * * at one time there existed in Berlin three sorts of ministries for foreign affairs; Rosenberg's ministry, Ribbentrop's ministry, and the official ministry on the Wilhelmstrasse."

And finally, Rosenberg's letter to Hitler of 6.2.38 stressed his real influence on the foreign policy of Hitlerite Germany and his "merits" in this field, when he applied for a membership in the Secret Cabinet Council. *(USSR–117)*

I see no necessity to give an analysis of the entire criminal activity of Rosenberg, and I only intend to dwell very shortly on his activity as "Fuehrer's plenipotentiary" and, later, as the Reich Minister for the Occupied Eastern Territories. In these capacities, Rosenberg exercised his talents most actively, as a participant in criminal conspiracy.

Rosenberg declares that he was against war with the USSR and that he learned from Hitler about the preparations for an attack against the USSR, only when all the orders to military channels had already been given, and that he never really had any influence on the foreign policy of the Hitlerite Germany. I affirm, Your Honors, that all these declarations of Rosenberg are false. It is a commonly known fact that the plan for a German crusade against Soviet Russia is indeed the starting point of the National-Socialists foreign policy, as set out in the 1921 New-Year publication of the newspaper "Voelkischer Beobachter" and that the author of this policy is Alfred Rosenberg. It was Rosenberg, who inspired by Ludendorf and Rechberg, propagated —together with Hitler—a foreign policy directed towards the creation of an antisemitic, antibolshevik and antibritish Continental Europe. Rosenberg's speeches, setting out plans for the "exchange" of the Polish corridor against the Ukraine, his "diplomatic" journeys into certain countries after the seizure of power by the Fascists, his clumsy efforts to realize the foreign policy programme of the Nazis—were disclosed in detail in the press.

The submitted documents give a clear picture of Rosenberg's feverish activity in April 1941—during the period immediately preceding the attack of Germany on the USSR—when he was nominated "Fuehrer's plenipotentiary for the supreme control of the questions connected with the Eastern-European territories". *(865–PS, USA 143)* On 7 April 1941, two weeks prior to his nomination, Rosenberg sent to Hitler his proposals for the division of the Soviet Union into Reichskommissariats and for the nomination of Fascist governors for the occupied territories. Byelorussia and the Ukraine, Minsk and Kiev, Rostov and Tbilisi, Leningrad and Moscow were all enumerated in Rosenberg's proposals. For the post of the Reichskommissar of Moscow, Rosenberg recommended the notorious Erich Koch.

We have heard about Rosenberg's meetings with Brauchitsch and Raeder and of his conferences with Funk, General Thomas, state secretary Backe and others, on the questions of economical exploitation of the eastern territories, and about his negotiations with Ribbentrop, the SS Chief of Staff, the Chief of the German intelligence service, Admiral Canaris. Already six weeks prior to the attack on the USSR, he worked out directives for all the Reichskommissars of the occupied eastern territories, in which he provided for a "Reichskommissariat Russia" and the "Reichskommissariat Caucasus", while the Byelorussian republic was to form a part of the Reichskommissariat Ostland". *(1030–PS, USA 144)* Rosenberg's attempt to affirm that he did not share in the aggressive, predatory aims of the war against the USSR, and that, in his capacity of Minister for the occupied Eastern territories, he all but loaded with benefits the population of these territories. And this he dares to affirm, when the directive to the

Reichskommissar of the Baltic countries and Byelorussia, described his aims as follows:

> " * * * the creation of a German protectorate for the purpose of subsequent inclusion of these regions in the Greater German Reich: by means of the germanization of elements—suitable from the racial point of view, of the colonization by the representatives of the German race and of the extermination of the undesired elements."

And this is said in addition to the following recommendations made in another of Rosenberg's directives on the subject of the civil administration in the occupied Eastern territories *(EC-347, USA 320):*

> "Our main task * * * is the furthering of the Reich's interests. The regulations of the Hague Convention regarding land warfare are not valid, as we can consider that the USSR has been destroyed * * * For this reason, all measures which the German administration deem necessary and convenient are admissable."

Rosenberg was too hasty in his assertion that the USSR was destroyed, let the cat out of the bag, and gave away his secret plans. But this document is also an irrefutable proof, invalidating all the attempts of the defendant to throw off his shoulders the burden of responsibility for the monstrous crime perpetrated by the German-fascist aggressors throughout the occupied territories of the USSR, to the shoulders of individual officials and policemen, of Koch and Himmler.

It was Rosenberg who permitted the repudiation of the Hague Convention and the utilization of all measures which might seem "convenient". When Koch, for his "convenience" exterminated the population of the entire Zuman district, he was acting in the spirit of his directive of Rosenberg. Rosenberg described here his dissentions with Koch; he alleged that he has followed humanitarian policy and even imported agricultural machinery. Even if Rosenberg did indeed, from time to time, object to Koch's actions, it was only because he was afraid of premature publicity, because he was afraid that Koch's unparalleled ill-treatment of the Ukrainian people would only strengthen the resistance movement. Rosenberg was influenced by fear and not by any humanitarian considerations. Rosenberg's true policy is set out in numerous documents which have now become known to the world's public opinion and which are in the files of the Tribunal.

In an "official note for the Fuehrer" dated 16.3.1942, Rosenberg set out the aims of the German policy in the occupied territories of the USSR and, first of all, in the Ukraine * * * "the utilization of minerals, the creation of a German colony in certain regions, no artificial intellectual development of the population, but its preservation as a source of manpower." *(045-PS)*

In his report on the reorganization of the Caucasus, Rosenberg wrote that *(USSR-58):* "The problem of the East consists in the transplanting of the Baltic nations to the soil of German culture and in the preparation for the large-scale expansion of the German frontiers. The task of the Ukraine is to secure the necessary food supplies for Germany and Europe, and the raw materials for the continent. The problem of the Caucasus is primarily a political problem and it will lead to the expansion of continental Europe, headed by Germany, from the Caucasus isthmus to the near East."

And finally I would like to point out that it was Rosenberg who made the following statement, at a conference of the German Labor Front, on the policy of the occupied USSR territories *(USSR-170):* "It is obvious, that if we are to subjugate these peoples, arbitrary justice and tyranny will be the most suitable form of government." The defense affirms that Rosenberg and his "Einsatzstab" were not concerned with the plunder of cultural treasures, but with their preservation. This statement is also quite false. Numerous documents read into the record at this trial, have proved that as early as April 1941, i.e. more than two months prior to the attack on the USSR, Rosenberg was organizing special units and staffs and was elaborating plans for the removal of the cultural treasures of the Soviet Union.

On 16 October 1941 Rosenberg wrote to Hitler as follows *(USSR-375):* "I have now given an order to a similar operative staff of my organization to carry out in the occupied Eastern territories the work already accomplished in the West. * * * Having before our eyes the whole picture, we can satisfy all the just wishes and demands of the Greater German Reich. On this basis I would also be willing to take upon myself to guarantee that all the treasures of art from the Lintz and other museums which can be utilized for your personal plans are really used for this purpose.

On 17 October 1944, Rosenberg wrote to Lammers that for the transport of goods "listed" by his organization, it was necessary to use 1,418,000 railroad cars, whilst 427,000 further tons were transported by water *(327-PS, USA 338)*. In this same letter, Rosenberg mentioned that among the confiscated goods removed to Germany there was 9,000 cars with agricultural and other machinery. And after this, he dares to speak about some machines which he has allegedly imported into the Ukraine! And finally, I shall speak about the ridiculous theory of the so-called Rosenberg's "noble anti-semitism". It is absurd to argue with Rosenberg's counsel, who affirms that there exists such a thing as "noble anti-semitism", and all the more absurd it is to argue with Rosenberg. In my statement to the Tribunal, I threw light upon the fascist propaganda contained in the defense speeches. Now, I would like to recall to the Tribunal the text of two of Rosenberg's documents.

In his directive of 29 April 1941, he wrote *(1024-PS, USA 278):* "The general solution of the Jewish problem must at the present moment be carried out by methods of a temporary character. Slave labor for Jews, the creation of Ghettos, etc., must be the solution of this problem."

Even more cynical and frank is the statement made by Rosenberg in November 1942, when he, in his capacity of Minister for the Occupied Eastern Territories, addressed a conference of the German labor front *(USSR-170)*

> "We must not be satisfied", said Rosenberg, "with the deportation of Jews to another country and with the creation here or there of a large Jewish ghetto; no, our object must always remain the same. The Jewish problem in Europe and in Germany will be solved only when there are no more Jews left on the European continent."

And the operations "Kotbus", the extermination of Jews in the Baltic towns, in the Ukraine and Byelorussia—all these were carried out in conformity with Rosenberg's theories and with his agreement. *(R-135, USA 289.)* In 1937 Rosenberg received the German national prize. Commenting on this event, the Fascist press wrote as follows *(3559-PS, USA 600):*

> "Alfred Rosenberg has brilliantly succeeded with his books in building up the scientific and the spiritual foundations of, and in consolidating and strengthening the philosophy of the National-Socialism. Only future generations will be able to appreciate fully the profound influence of this man on the philosophical foundations of the National-Socialist state."

But the future became the present. And I am sure that the Tribunal will be able to appreciate duly not only the influence exercised by Rosenberg on the "philosophical foundations of the National-Socialist state", but also his active participation in all the crimes against peace and humanity perpetrated by the Hitlerites.

FRANK

A lawyer by training the defendant Hans Frank was one of those who liked to speak about reviewing the "ancient German" law for Germans about "Principles of Justice", for the "select" about the "right of the chosen people" to annihilate nations and countries.

In 1939, he was the very man, who had been corrupting the German legal conception for a long time, to whom Hitler entrusted the fate of subjugated Poland. Frank arrived in Poland to realize practically the program of enslavement and extermination of the people on the territory of a country possessing a history which had lasted for ages and original high culture.

I should like to remind the Tribunal of some of Frank's views expressed during the first months of his stay in Poland, taken from his so-called "diary". It is hardly worth while to discuss with the defense counsel the probative value of this document.

Frank himself declared to the magistrate that "this document was of historical importance" and to the question "whether all his statements contained in the diary were true", he replied "they fully correspond to what I know."

On 19th January 1940, Frank declared with cynical frankness at the conference of the department leaders *(USSR-223)* "On 15th September 1939, I was entrusted with the task of governing the conquered eastern territories and received the special order to ruin this territory ruthlessly as a war territory and a war trophy and to turn it into a heap of rubble from a point of view of the social, economic, cultural and political structure."

On 31 October 1939, in the presence of Goebbels at a conference uniting the leading officials of the Government-General, he declared: "A perfectly accurate differentiation must be made between the German people—the master-race—and the Poles."

He then remembered the Polish culture which Frank, as defense counsel Dr. Seidl said here, took so great care of. He stated: "The Poles can be allowed only those possibilities for educating themselves which would prove the hopelessness of the destiny of their nation. Alone, bad films or films demonstrating the might and greatness of the Germans can be taken into consideration for the purpose". *(USSR-223)*

One of Frank's first instructions was the order to shoot hostages. Later on similar orders were to be counted by the hundred and the thousand until they finally culminated in the edition of "regulations" dated 2 October 1943. *(USSR-335)*

On 10 November 1939 Frank was informed that the day of Polish independence was approaching and that posters were to be hung up on certain houses to remind the Poles of their national holiday. The following entry then appeared in Frank's "Diary": "The Governor-General decrees that one inhabitant of the male sex is to be taken from every house on which a poster of this kind is hung up and is to be shot. The Pole must feel that we do not intend building a lawful state for him." The short extract we are quoting from the speech Frank made at the conference of the department-chiefs of the "Government General" characterizes this Hitlerite "lawyer" far better than lengthy excerpts taken from his parade speeches which we were obliged to listen to here. *(USSR–335; USSR–223)*

The criminal activity of Frank in Poland is so very manifold, that there is no possibility, in a short speech, to reconstruct to the Tribunal the innumerable proofs of Frank's guilt which have been submitted in this court room and which are evidently still fresh in the memory of the judges. But from Frank's criminal activities in Poland we must segregate the predominant trait which is Frank's activity as the murderer of millions of people. Of course, he looted, he was Goering's Plenipotentiary for the Four Year plan and he looted, so to say, "be it merely in this capacity".

He sent over 2 million Poles to Germany for forced labor. The attempt of the defense to represent Frank as "the enemy of coercive methods of recruitment" can be based only on the assumption that nobody excepting counsel had studied Frank's diaries. For Frank never can escape documents such as the minutes of the meeting of the department leaders dated 12 April 1940, or the notes of Gauleiter Sauckel of the 18 August 1942, or the transcript of the meeting with Buehler, Krueger and others of the 21 April. *(USSR–223)*

But he sent people to forced labor in order to wring them dry in the interest of the Reich before sending them to their doom. The regime set up by Hans Frank throughout Poland during all the stages of the temporary German domination in this country was a regime for the inhuman destruction of millions of people by means of varied, but equally criminal, methods.

It is not merely incidental that the German-Fascist assassins who annihilated 11 thousand Polish prisoners of war in Katyn forest should refer to the regime which Frank instituted in Poland as an example of his own activities (as the Tribunal has been able to ascertain not so very long ago in this courtroom from the evidence presented by the former deputy to the mayor of Smolensk—Prof. Basilevski).

I consider it to be particularly important, at this point, to emphasize the conception Frank had of the relations with the Polish population after the war:

"I insistently draw your attention", said Frank, "to the fact that, should peace be concluded, nothing would change in our treatment. This peace will signify that we, as a world power, will conduct more firmly than hitherto our general line of policy. This peace would signify that we will have to carry out colonization on a grandiose scale, but the principle will not have changed." *(USSR–223)*

This was stated in 1940 when Frank was contemplating the first mass murder of the Polish "intelligentsia", the so-called "AB" action.

In 1944, at the meeting of the agricultural leaders at Zakopane Frank said: "If we win the war, then in my opinion we could make mince-meat of the Poles and Ukrainians and of all those who are idling around the Government-General. If only we keep them in subordination during war-time. Come what may." *(USSR-223)*.

It was not Frank's fault, that as early as in 1944, dreaming to make "mince-meat" of Poles and Ukrainians he was compelled to add: "If we win the war". At this time he couldn't be as emphatic in his utterings as on 2nd August 1943, when at the reception of the Party speakers in the Royal Palace in Cracow he spoke about the exterminated Polish Jews: "Here we started out with 3,500,000 Jews, now but a few workers remain from this number. All the others, we shall some day say, emigrated." *(USSR-223)*

Frank himself as well as his counsel tried to affirm that the defendant had known nothing about what was going on at the concentration camps of the General Government. However, in this very "Secret report" addressed to Hitler by Frank, which the defense counsel tried to utilize on behalf of Frank we may find a confirmation of the fact that Frank was well informed about what was happening in the camps. It is said there: "Most of the Polish intellectuals are not susceptible to the influence of the news from Katyn and in answer quote similar atrocities in Auschwitz".

Then Frank cites a highly characteristic passage describing the reaction of the Polish workers to the provoking communications of the Germans about Katyn: "There are concentration camps in Auschwitz and Maidanek where mass murder of the Poles was carried out along chain-production lines", and further "Today, unfortunately, the Polish public opinion and not only the intellectuals, compare Katyn to the mass death rate in the German concentration camps, as well as to the shooting of men, women and even of children, and old people when carrying out collective punishment in the districts."

After the "secret report" addressed to Hitler there was no other "new course" on Frank's part. On the contrary Frank published his regulation of 2nd October 1943, which the defendant himself termed as "dreadful", when questioned by his counsel. After his "regulation" had been carried into effect many thousands of innocent people became his victims. The number of executions increased steadily till it amounted to 200 persons executed at a time in Warsaw.

The same thing happened in the streets of all the Polish towns, where the so-called "police courts" carried out executions, as it is said in the text of the regulation itself, immediately following the verdict. The people doomed to die were brought to the place of execution wearing paper clothing, with their lips glued together with sticking-plaster, their mouth stuffed with plaster, bled white in prison. At the state conference held in Cracow on 16th December 1943, where Frank stated with great satisfaction that the executions had "favourable consequences", another question was simultaneously discussed. In the records of this conference it is said: "We must discuss the question whether it is possible to arrange special places of execution, as it has been established that the Polish population gathers at accessible places of execution to collect the earth saturated with blood into vessels which they place in Churches". *(USSR-223)*

The defense counsel tried to speak here about interminable dissensions of Frank with the police; he had allegedly disagreed with their action. Let us see what kind of dissensions these were. The first "sonder-action" carried out in Poland, namely the AB operation—a physical extermination of several thousands of Polish intellectuals—had not been initiated by the police, but had been initiated by Frank himself. According to the Decree of Hitler of 2nd May 1942, the director of the police was subordinated to the Governor-General. When some dissensions between Frank and the chief of the police did arise, it was Krueger who had to leave his post of police chief, whereas Frank remained Governor-General of Poland. As for the Obergruppenfuehrer Koppe who took the place of Krueger, who else was it but Frank who expressed his thanks to him on 16th December 1943 for shooting the hostages, "his gratitude for his fruitful work" and noted with satisfaction "a great specialist is at the head of the police at the Government-General". It is incomprehensible about what dissensions concerning the policy Counsel Seidl was talking about.

His counsel even tried to represent Frank as "a singularly peaceful antisemite", who entertaining a negative attitude towards the Jewish people never initiated massacres of the Jews or even instigated same. It is incomprehensible in this case how the following words of Frank could be interpreted by the counsel: *(USSR-223)* "The Jews are a race that should be exterminated. Wherever we catch even one he shall be done away with".

Or his declaration at the government sitting of 12th August 1942, when he said: "That 1,2 million Jews have been condemned by us to starvation is quite comprehensible. It stands to reason that if these Jews do not die of starvation, this will lead to precipitated active measures directed against the Jews".

The criminal activity of the henchman of the Polish nation led to the extermination of millions of people.

"You see how the state organs are working, you see that they don't hesitate before anything and stand up people by the dozen against the wall". This is the manner in which Frank himself at a conference of the Standartenfuehrers held the 18 March 1942 characterized the bloody regime of terror set up throughout Poland.

"I did not hesitate to declare that for one German killed up to a hundred Poles would be shot"—these words were pronounced by Frank on the 15 January 1944 at a meeting of the political leaders of the NSDAP. *(USSR-223)*

"Had I gone to the Fuehrer and told him: 'My Fuehrer, I am reporting to you that I have exterminated another 150,000 Poles', he would have said: 'Perfect, if it was indispensable' "—stated on the 18 March 1944 while making a speech at the Reichshof, that very same Frank who now tries to convince the Tribunal that he had some "differences of opinion on matters of principle" with Hitler and Himmler. *(USSR-223.)*

The declarations that Frank made during the first months of his stay in Poland were a veritable program of murder which were perpetrated by the defendant methodically, ruthlessly, and according to plan. Frank, of course, was fully aware of the fact that should war not bring victory with it, he would have to carry the full responsibility for the crimes committed in Poland as well as for his participation in the Fascist conspiracy.

As early as 1943 Frank spoke about this at a meeting with his accomplices. We must give credit where it is due—as a lawyer he was much more correct in his depiction and formulation of the concepts of a criminal conspiracy than certain lawyers at this trial who, basing themselves on outmoded understandings, endeavour to dispute the foundation for a conspiracy put forward by the prosecution.

It was at this government meeting held in the presence of the police on the 25 January 1943 that the Governor-General of that time declared to "Himmler's hyenas" *(USSR-223)*: "I would like to emphasize one point: we must not squirm when we hear of 17,000 people being shot. These shot people are also victims of war. Let us remember that all of us assembled here, figure on the list of criminals of Mr. Roosevelt. I have the honor of being number one. *We have become, so to say, accomplices on a world history scale.* It is exactly for this reason that we have to keep together and must share the same general ideas and it would be simply funny if we started to wash our dirty linen in public by bickering about methods".

This appeal to murder is very far from the "interminable quarrels with the police" which defendant Frank spoke about here. The defendant made a mistake about one thing: he was incorrect in defining his place in the dock. But he was not mistaken about the fundamentals: he took his place in the dock as a "criminal on a world history scale".

FRICK

The history of the development of the Nazi movement in Germany and the numerous crimes of the Hitlerites are indissolubly connected with the name of the defendant Wilhelm Frick.

As Minister of the Interior of the Hitlerite government, Frick participated in the issuing of numerous laws, decrees and other acts directed towards the destruction of democracy in Germany, the persecution of the church, the discrimination against the Jews, etc. In this capacity, the defendant Frick contributed most actively to the creation in Germany of the Hitlerite totalitarian state. During the period of many years, the German secret state police (Gestapo) which was to acquire a gruesome fame, was subordinated to the defendant Frick. The order concerning the extermination of aged people and of the insane was issued in 1940 by no other than the defendant Frick.

In his capacity of Minister of the Interior of Hitlerite Germany, as the witness Gisevius testified to this court, Frick was fully cognizant of the vast system of concentration camps spread throughout the Reich, as well as of the existence in these camps of an inhuman regime. The part played by the defendant Frick in the preparation and the realization of the Hitlerite government's aggressive plans was considerable. He was a member of the State Defense Council as well as Plenipotentiary for General Administration.

All the documents, by which the Hitlerite conspirators legalized the incorporation by Germany of the seized territories, were signed, among others, by the defendant Frick. In his capacity of Protector of Bohemia and Moravia, the defendant Frick bears personal responsibility for all the crimes committed on that territory by the Hitlerites.

After the felonious attack of Hitlerite Germany upon the Soviet Union, the defendant Frick's Ministry of the Interior participated most actively in the setting up of the administration in the seized territories of the USSR. The machinery of the German occupational authorities in the East was manned mainly by officials of the Ministry of the Interior.

There is no need to dwell again upon the part played by this machinery, which was created with the most active cooperation of the defendant Frick, in the extermination, the driving into slavery, and the other inhuman actions carried out against the civilian population of the occupied territories.

Frick bears full and direct responsibility for all these crimes inasmuch as he was an active participant of the Nazi conspiracy.

STREICHER

Notwithstanding the fact that during the war years, the defendant Julius Streicher did not formally hold functions directly connected with the perpetration of murders and mass executions, it is hard to overestimate the crimes committed by this man. Together with Himmler, Kaltenbrunner, Pohl, and those who conceived, constructed and switched into action the gas chambers and "gas-wagons"; together with those who personally committed mass "actions", STREICHER must bear responsibility for the most cruel crimes of German Fascism.

The enflaming of national and racial dissension, the cultivation of depraved cruelty and the calling to murder—all this was not only the party function of this man, but also the source of his income. And it is not by accident, that in his greeting to Streicher dated April 1937, and which is already known to the Tribunal, Himmler expressed his high esteem for the merits of "Der Stuermer" and of its publisher. One can consider Streicher as the actual "spiritual father" of those who quartered the children of Treblinka. Had it not been for the Stuermer and its publisher, German Fascism would not have been able to educate at such short notice those mass cadres of murderers who personally put into effect the criminal plans of Hitler and his gang by murdering over 6 million European Jews. Over a period of many years, Streicher spiritually corrupted the children and youth of Germany. The so-called "children's editions" of the Stuermer have been submitted to the Tribunal.

And therefore, together with Baldur von Schirach, Streicher must bear responsibility for the selection of Jewish children from the Lvov ghetto, for target practice by the morally depraved "Hitler-Jugend". It is not by accident, that von Schirach held in so high an esteem Streicher's "historical merits". The fanatical "Nurnberg laws" were only the "beginning of the struggle" for this "judeophobe" (as he called himself) who was also the organizer of the first Jewish pogroms. As the Tribunal can recall, after these laws were issued, Streicher called for the physical extermination of the Jews in Europe and he wrote "This problem will only be solved when world jewery is exterminated".

I will not dwell again, either, on the shameless and mendacious "ritual numbers" of the Stuermer, which were to incite the SS men towards the killing of millions of guiltless persons and to justify any atrocity directed against the Jews. These proofs of Streicher's guilt, which were among others submitted to the Tribunal, are of common knowledge and not subjected to any doubt. In 1939 he anticipated Maidanek and Treblinka and wrote that "perhaps graves alone" will testify to the previous existence of Jews in Europe. *(D–810, GB 332)*

In 1943, when the gas chambers of Treblinka and Auschwitz were already engulfing millions of victims, the Stuermer published articles inciting to the liquidation of the ghetto, articles which were full of lies and maliciousness and finally the Stuermer could state with sadistical satisfaction that "The Jews of Europe have disappeared".

Streicher lied all his life. He attempted to lie, here in Court. I do not know whether he believed he would be able to deceive anybody by these lies, or whether he lied from habit or out of fear. But it seems to me that it must be apparent, even to the defendant himself, that his last lie will not deceive anybody and will not bring him salvation.

SCHACHT

In carrying out a vast and complicated task the defendant, Hjalmar Schacht played an eminent part in the preparation and the realization of the criminal plans of the Nazi conspirators.

Schacht's defense position is extremely simple. If he is to be believed, purely patriotic motives drew him to Hitlerism. He was against aggressive wars but for the rearmament of Germany in order to maintain peace. He was for the return of Germany's colonies in view of establishing economic stability in Europe. Having come to the conviction that the policy of the Nazi government was directed towards an excessive armament and thereby bore the menace of another world war, Schacht went over to the opposition. He sabotaged the measures taken by the Hitlerite government and as a result he was persecuted as a participant in the plot against Hitler.

Defendant Schacht strives now to depict the enthusiastic letters, full of expressions of loyalty which he addressed to Hitler, as a method of camouflaging his real oppositional feelings towards the Hitlerite regime. Actually, Schacht's connection with the Nazi movement begins as early as 1930. Schacht was drawn to National Socialism and both Hitler and Goering sought Schacht's support. Indeed the latter, with his vast connections in Germany's industrial and financial spheres, could, like nobody else, render invaluable services to the Nazi movement. And this he did. As early as August 29, 1932, in a letter to Hitler, Schacht assured the latter of his loyalty. These were not mere words, for more than anybody Defendant Schacht played a decisive part in Hitler's advent to power. It was he, Schacht, who organized the demand formulated by the German industrialists for Hitler to be named Reich Chancellor. As early as 1932 he, Schacht, declared to von Papen who was then Reich Chancellor of Germany: "Hand over your post to Hitler". It was again Schacht who, in 1933, on the eve of the Reichstag elections called the conference of industrialists which created an election fund of several million marks for the Nazi Party. *(D-203, USA 767)*

Hitler's closest follower, Goebbels, characterizes thus the part played by Schacht and his importance in the creation of Nazi Germany. On the 21st of November 1932, he wrote down in his diary: "In a talk with Dr. Schacht, I came to the conviction that he fully shares our point of view. He is one of the few who fully agrees with the position of the Fuehrer." *(2409-PS, USA 262)*

In his spring fair speech at Leipzig, on the 4th of March 1935, the defendant Schacht depicted himself and his part in the Nazi state: "I can assure you all that I do and all that I say is in full agreement with the Fuehrer, and that I will do and say nothing that would not be approved by the Fuehrer. That is why it is the Fuehrer and not I who is the bearer of economic reason."

As Schacht expected, Hitler appreciated his merits at their full value. After his advent to power in 1933 Hitler immediately nominated Schacht to the post of President of the Reichsbank and then to the Ministry of Economy, and finally to the post of Plenipotentiary General on matters of War Economy.

The prosecution and the proceedings have proved the extraordinary part played by Schacht in the preparation of Germany's armaments and consequently in the launching of aggressive wars. The former war minister, von Blomberg, testified that in 1937 the development plans of the armed forces were close to completion and that Schacht was informed of these plans and of their financing. *(Interrogation I, USA 838)*

Schacht was one of the most consistent partisans of the Nazi's criminal plans. In a talk with the United States Ambassador Fuller on the 23rd of September 1936, Schacht stated that: "Germany absolutely needs colonies. If it is possible, we will acquire them by means of negotiations. If not, we will seize them."

Speaking in Vienna in March 1938, Schacht declared: "Thank God, this could not prevent the great German people from continuing on its course, because Adolf Hitler unified German will and German thought. He strengthened it with reinforced armed forces and in the end he gave an outer shape to the inner unity of Germany and Austria."

Defendant Schacht was entrusted with extraordinary powers in the sphere of war economy. Over a period of many years Schacht cumulated the functions of Reichsbank President, Minister of Economy, and Plenipotentiary General of War Economy. Be it only as a result of these positions, the defendant Schacht played an enormous and decisive part in the creation and resurrection of Nazi Germany's war economy and armed forces. This activity of the defendant Schacht is clearly described in the numerous laudatory letters which he received from Hitler.

The defendant Schacht and no other was the creator of the adventurous method of issuing so-called "Mefo bills", by which twelve millions of Reichsmarks were signed, aside from the budget assignations, to German economy for rearmament purposes.

As was already stated above, the defendant Schacht attempted, at various periods of his activity to stress his alleged ever-increasing dissension with the Nazi regime. In reality, Schacht was carrying out a double game. On one hand, he shielded himself from the responsibility for the criminal policy of the Nazi government by flirting with persons who actually did strive to overthrow the Nazi regime, and on the other, he remained loyal to this regime. It was only in 1943, when the downfall of Nazi Germany became apparent to such a hard-boiled politician as Schacht, that he established connection with oppositional circles. However, true to himself, he took precautions for any event and he did not actually do anything personally to overthrow the Nazi regime, and that is why he was spared by Hitler.

That is the portrait of the defendant Schacht, and that is the part played by him in Hitler's conspiracy and war crimes. It is the part of the creator of Nazi Germany's war economy and of an instigator of the Second World War launched by the criminal Nazi government.

FUNK

Walter Funk became a Nazi long before his official admission in 1931 into the membership of the NSDAP, and he remained a Nazi up to the end. His economic knowledge, his experience as a journalist, his extensive connections with the leaders of the German industry, trade and finance were put by him at the service of the Hitlerite conspirators.

An article published in the newspaper "Das Reich" on 13 August 1940, under the heading "Walter Funk—pioneer of the National Socialist thought", read as follows *(USSR-450)* "Walter Funk was true to his principles because he was, is, and always will be a true National Socialist, a champion, devoting all his labor to the victory of the Fuehrer's ideals". What was meant by

Fuehrer's ideals, we already know only too well. Funk devoted to these "ideals" 15 years of his life.

Funk declared that he had nothing in common with the SS, but it was he, Funk, who transformed the caves of the Reichsbank into depositories for the treasures, plundered by the SS men in the Eastern and other occupied territories. Funk personally gave orders, after his negotiations with Himmler, to take into the Reichsbank the golden tooth plates, the glass rims, and other valuables belonging to the victims of numerous concentration camps, tortured to death.

The Gruppenfuehrer SS Heiler was Funk's deputy. Under Funk's direction operated Ohlendorf, this murderer, who has the death of 90,000 persons on his conscience.

Funk, supplementing Schacht's measures, put the whole of Germany's economy at the service of the aggressive Hitlerite plans, and later on the economy of the territories Germans occupied as well. Already in May 1939, Funk, together with his Deputy, Landfried, elaborated plans for the financing of the war and the utilization of the economic resources of Germany and annexed Czechoslovakia for war purposes. On 23 June 1939, Funk takes part in the conference of the Reich Defense Council, which elaborated detailed plans for the reconversion of all national economy to a war footing. *(3787-PS, USA 782)*

Already at that epoch, Funk was not only informed of Germany's impending attack on Poland, was not only cooperating in the realization of this aggressive plan, but was also preparing economically new wars, the seizure of new territories. Such were "Fuehrer's great political aims" which were set out by Funk a few months later in his article entitled "Economic and Financial mobilization".

I shall mention one more document. On 25 August 1939, Funk wrote to Hitler *(699-PS, GB 49):* "Feldmarshal Goering told me that my Fuehrer yesterday evening approved the main points of the measures conceived by me for the financing of the war, stabilization of prices, fixation of wages, and the organization of subscription to obligatory donations; this news made me happy".

A long time before the treacherous attack of Germany against the USSR, Funk participated in the elaboration of plans for the spoliation of the riches of the Soviet Union. Funk attached his collaborators to Rosenberg's ministry and to the Economic Staff OST—this predatory organization. Funk's agents took part also in the plunder of Czechoslovakia, Jugoslavia, and other occupied countries. Funk was the president of the "Continental Oil" Company, which was created for the exploitation by Germans of the oil fields in the occupied Eastern territories, and especially, the oil fields of Grosny and Baku.

Funk was in full agreement with the predatory aims of the war launched by Germany against the USSR. He made a speech on 17 December 1941 in Prague, to the effect that the east is the future German colony. Funk participated at the conference which took place on 6.8.1942 at Goering's office, for the discussion of the most effective measures for the economic plunder of the occupied territories of the USSR, Poland, Czechoslovakia, Jugoslavia, France, Norway, and other countries. At this conference, as well as at the conference of the "Central Planning Board", Funk participated in the elaboration of plans for the deportation to slavery of millions of people from the occupied territories.

Such are the fundamental stages of the criminal activity of the Hitlerite conspirator, Defendant Funk—Hitler's personal adviser on the economic questions since 1931, Reich Minister and Plenipotentiary General for Economic questions, President of the Reichsbank, and member of the Reich Defense Council, during the period of the preparations and the realization of the criminal plan (conspiracy).

The guilt of Funk, this active participant of Fascist conspiracy for the realization of crimes against individuals, in war crimes and crimes against humanity—this guilt has been fully proved and he must bear the responsibility for the evil deeds perpetrated by him.

SCHIRACH

Since 1931 and until the end of the war, the defendant Baldur von Schirach was at the head of the Nazi youth.

After the publication of 1st December 1936 of a decree concerning the Hitlerite youth, von Schirach was—in his capacity of the Reich leader of youth—directly subordinated to Hitler. In his depositions before the Court, the defendant Schirach, in his efforts to avoid the responsibility for the education of the German youth in the spirit of National Socialist ideas, made frequent references to the fact that "Hitlerjugend" was a youth organization independent of the Nazi Party and the Hitlerite government.

For the purposes of his defense, the defendant Schirach deemed it possible and relevant to refer to the great Goethe, whose words "the youth itself educates young people" were utilized by Schirach with open cynicism. Goethe was, of course, right when he said that "the youth itself educates the young people". But he meant the healthy, full value, joyful youth, and not youth corrupted with the obscurantism of the Hitlerism, described clearly by the words of Hitler addressed to Rauschning *(USSR–378):* "We shall educate youth before which the whole world shall tremble—rough, exacting, cruel youth. That is what I want. Our youth must be in the possession of all these qualities. It must be without pity before suffering. It must be without weakness or softness. I want to see a glint of the wild animal in its eye." And the defendant Schirach instilled systematically the ideas of Hitlerism in the conscience of German youth and educated the German youth in the spirit of Hitler's wishes, modelling them after the image of the grown-up leaders of the Hitlerite band.

During cross-examination, the defendant Schirach was, at the end, forced to admit that the German youth was brought up in the spirit of National Socialist ideas, that members of the SA, officers of the German armed forces, and the SS, participated in its education, and that intense preparation of the youth for war was being carried out in Germany. For this purpose, special agreements were made between the Reich leaders of "Hitlerjugend" and the OKW, as represented by the defendant Keitel and the Reichsfuehrer Himmler, which made provisions for the education of youth in the spirit of aggressive militarism and appropriate enlistment and the preparation of youth for the German armed forces and the SS units.

The part taken by the defendant von Schirach and his participation in the common conspiracy, in war crimes, and crimes against humanity are best of all characterized by the behavior of the German youth brought up in "Hitlerjugend" during the war.

The Soviet prosecution has presented to the Tribunal under USSR–6, in conformity with Article 21 of the Charter, a report of the Extraordinary State Commission about the crimes of the Germans on the territory of Lwow region. This report records the declaration of the French citizen, Ida Wasseaux about the inhuman execution by the members of the "Hitlerjugend" of young children, of whom they made targets for shooting. In her written deposition of 16 May 1946, and also in her answer to the questionnaire of Counsel for the defendant Schirach, Ida Wasseaux confirmed this declaration in full. *(USSR–455)*

Conclusive testimony about the actions of the members of the "Hitlerjugend" in the cadre of the German armed forces were given by a German soldier, war-prisoner, Hertom Knitel, himself a former member of the "Hitlerjugend" since 1936 and who at the age of 18 was recruited into the German army in 1942. Describing his participation in numerous crimes, Hert Knitel, declared *(USSR–454)*: "In the locality of Lishaisk, our company set on fire in June 1943 a house with all the people who were in it. * * * All those tried to jump out of the house, we shot down excepting one old woman whom we did not shoot down, as she lost her mind before our very eyes. * * *"

For all these crimes, the defendant von Schirach bears full responsibility together with Hert Knitel and thousands of others. Schirach himself did not, of course, shoot, did not set on fire but he armed the German youth, morally corrupted it, and prepared it for the realization of any atrocity. But the activity during the war of the "Hitlerjugend" and the defendant Schirach was not limited to these crimes only.

The "Hitlerjugend" took an active part in the preparation of the war of aggression by the creation of fifth columns in Poland and Yugoslavia; the official reports of the Polish and the Yugoslav Governments testify to this fact. The Organization "Hitlerjugend" took an active part in the execution of all the measures undertaken by the Ministry for Occupied Eastern Territories, and this is shown by the report of the defendant Rosenberg, presented to the Tribunal; it participated also in the deportation for slavery from the occupied territories of children between the ages of 10 and 14, which fact is proved by a document presented to the Tribunal under 1031-PS.

In his capacity of Reich Deputy and Gauleiter of Vienna, Schirach directed personally the eviction of 60,000 Jews from Vienna, and who afterwards were exterminated in the concentration camps of Poland. The documents presented by the Prosecution—weekly reports addressed to Schirach—prove the fact that he was informed of all the numerous crimes perpetrated by the German armed forces and the occupation authorities in the East, and, in particular, about the tragic fate of the tens of thousands of Jews deported from Vienna.

In 1940, the defendant Schirach sent a telegram to Bormann in which he demanded the destruction from the air of one of the cultural towns of Great Britain, in answer to the murder of Heydrich, that butcher of Bohemia and Moravia. This telegram is in itself a sufficiently vivid and convincing description of the moral aspect of von Schirach.

Faithful to the Hitlerite clique, right to the end, aware of all its criminal deeds in which he himself took an active part—the defendant von Schirach is one of the most sinister figures of the third Reich.

SAUCKEL

I have already indicated in my Opening Statement that the action of deporting civilians—men, women, and children for forced labor into Germany—was one of the most important in the chain of heinous crimes committed by the German-Fascist usurpers. The decisive role in this sinister crime was enacted by the defendant Fritz Sauckel.

During cross-examination in this court-room defendant Sauckel could not help but admit that during the war about 10 million enslaved laborers originating from both occupied territories and from the ranks of prisoners of war, were utilized in German industrial undertakings and also partly for German agricultural labor. Whilst admitting the deportation to Germany and the utilization for the war industry of Hitlerite Germany of millions of workers from the occupied territories, Sauckel denied the criminal character of this action, affirming that the recruiting of labor was allegedly carried out on a voluntary basis. This assertion is not only a lie but a slander against the millions of honest patriots of the Soviet Union, of Czechoslovakia, Yugoslavia, Poland, France and Holland who, devoted to their country, were forcibly sent for labor into Hitlerite Germany.

The attempts of defendant Sauckel to depict his part of plenipotentiary general for the utilization of manpower as merely consisting of coordinating and controlling other government labor organizations are futile. As the plenipotentiary general for labor employment, Sauckel was invested by Hitler with supreme and all-encompassing powers, and was, in his activity, directly and personally subordinate to Goering.

And Sauckel extensively used these full powers in order to deport to Germany labor from occupied territories.

There is no need to refer to the extensive documentary evidence presented to the Tribunal and which irrefutably establishes the criminal character of the methods of mass deportation into slavery of the population of occupied territories as well as the role of the defendant Sauckel in organizing these crimes. How far these crimes extended is shown in the operation carried out by the German military and civil authorities, and ciphered under the name "Seno" which provided for the forced deportation of Ukrainian girls destined by Hitler for Germanisation. *(031-PS, USA 171; USSR-365; 025-PS, USA 698)* The defendant Sauckel has tried to assure the Tribunal that he had strictly complied with the demands of the Geneva and Hague Conventions concerning utilization of labor of prisoners of war. However his own instructions fully expose his lies.

The defendant Sauckel had planned beforehand the forced utilization of Soviet war prisoners for the war industry in Germany and never made any difference between them and the civilian labor forces. The inhuman conditions under which the foreign workers and prisoners of war deported for slavery lived are testified to by the numerous documents submitted as evidence. The defendant Sauckel himself was obliged to admit that foreign workers were kept in camps behind barbed wire and were obliged to wear special identifying badges.

The witness Dr. Wilhelm Eger summoned to the Tribunal by counsel for the defense was obliged to give an awful picture of the conditions under which the enslaved workers at Krupp's work lived. After all this, the deposition of the other witness Fritz Wishofer seems ridiculous because trying to excuse Sauckel, he manifestly overdid it by informing the Tribunal that he allegedly saw foreign workers walking and enjoying themselves in the Prater in Vienna.

The defendant Sauckel showed great activity in committing all these crimes. In April 1943, he personally visited the towns of Rowno, Kiev, Dniepropetrovsk, Saporozhie, Simferopol, Minsk, Riga and, in June of the same year, Prague, Cracow and again Kiev, Saporozhie, and Melitopol in order to force the deportation of labor. And it was as a result of his journey to the Ukraine in 1943 that Sauckel expressed his gratitude for the successful mobilization of labor forces, to the Reichskommissar of the Ukraine Koch, known for the drastically cruel measures which he applied with regard to the Ukrainian population.

And it is not mere chance that the criminal activity of Sauckel was so highly appreciated in Hitlerite Germany. On 6th August 1942 the defendant Goering declared at the conference of the Reichskommissars for the occupied territories:

> "I do not wish to praise Gauleiter Sauckel. He does not need it. But what he has done in this short time in order to gather workers rapidly and to have them brought to our enterprises is a unique achievement. I must tell everybody, gentlemen, that if each of you applied but the tenth part of the energy which Gauleiter Sauckel applied in his sphere, it would be easy indeed to fulfil the tasks imposed upon you. * * *"

In the article published in the Reichsarbeitsblatt for 1944 and dedicated to the 50th anniversary of Sauckel it was said:

> "True to his political task, he pursues his responsible course with unyielding consistency and steadfastness, with a fanatical belief. As one of the most faithful adherents of Hitler, he gathers his creative and spiritual strength from the Fuehrer's trust in him."

When estimating the criminal activity of Sauckel, Your Honors will surely consider the tears shed by the millions of people who languished in German slavery, of the thousands of people tortured in inhuman conditions in the workers' camps—they will consider this and will judge accordingly.

The defendant Artur Seyss-Inquart was appointed by Hitler Chief of the civil administration in Southern Poland at the beginning of September 1939 and, since 12 October of the same year, Deputy Governor General of Poland. He held this post till May 1940.

Over a period of seven months Seyss-Inquart personally, under the leadership of Frank and jointly with him, established a regime of terror in Poland, and took an active part in elaborating and realizing the plans for the extermination of many thousands of people, for the economic plunder and enslavement of the people of the Polish state. On 17 November, 1939, Seyss-Inquart addressed the chiefs of the administration and departments of the Warsaw Government. He mentioned among other things, that when the German administration acted in the General Government "its leading principle must be the interests of the German Reich. By means of a severe and unrelenting administration this region must be utilized for German economy, and in order not to show any unnecessary charity, one must remember how the Polish race usurped the German territory." Two days later Seyss-Inquart instructed the Lublin Governor Brigadenfuehrer Schmidt on the same question in the following way: "The resources and the inhabitants of this country must serve Germany, and they may prosper only within these limits. The development of independent political thinking cannot be permitted. Perhaps the Vistula will have an even greater significance for the fate of Germany than the Rhein."

The report on the official journey of Seyss-Inquart establishes that the governor of Warsaw Fischer informed the defendant that all valuables of the Warsaw bank in gold, precious metals, and bills of exchange were transferred to the Reichsbank, while the Polish inhabitants were obliged to leave their deposits in the banks; that he was informed that the German administration was employing forced labor; that the Lublin Governor Schmidt declared in the presence of Seyss-Inquart: "This territory with its strongly marked swampy nature could serve as a region for the Jews, where conditions could be created to shoot every tenth Jew." I draw the attention of the Tribunal to the fact that it was exactly at Maidanek near Lublin that the Hitlerite henchmen created an enormous death concern in which they exterminated about one million and a half human beings.

It is also known that Seyss-Inquart, as Frank's deputy, fulfilled on his behalf so-called "special tasks". On 8th December 1939, Seyss-Inquart participated in a conference on the following subjects: the appointment of Frank as authorized Plenipotentiary for the 4 Year Plan and the tasks of the Governor General "to obtain from the economy of the Government-General all that is best and useful for the Reich"; on the numerous trains of Jews and Poles which had arrived since the 1st of December from the re-annexed territories, and that these transportations would continue—according to Obergruppenfuehrer SS Krueger—till the middle of December; the issue of supplementary order extending labour recruitment to persons of the age of 14 to 18 years.

On 21st April 1940 the defendant took part in the conference at which measures for forced deportation of Polish workers to Germany were elaborated. *(USSR–223)*. On 16 May 1940 the defendant participated in the elaboration of the AB operation, which was nothing but a plan of wilful mass extermination of the Polish intelligensia.

In connection with the appointment of Seyss-Inquart as Reichskommissar for the Netherlands, Frank and his worthy deputy exchanged farewell speeches:

"I am exceedingly glad", said Frank, "to assure you that the memory of your work in the Government General will live forever when the future world Reich of the German nation will be created. * * *"

"I have", Seyss-Inquart replied, "learned much here above all about the initiative and firm leadership of the kind I saw in my friend, Dr. Frank.

"All my thoughts are connected with the East. In the East we have a National-Socialist mission, in the West we have functions."

The function of Seyss-Inquart in the West, as the functions of other Reich ministers and Kommissars in all territories occupied by the Germans, are well known. It was the function of henchman and plunderer.

My colleagues have given the details about the criminal part played by Seyss-Inquart when annexing Austria and realizing other aggressive plans of the Hitlerite conspiracy; they have clearly shown how Seyss-Inquart applied in the Netherlands the sanguinary experiment, learned by him whilst collaborating with Frank in Poland. For this reason I may fully support the charges against Seyss-Inquart as they are formulated in the Indictment.

VON PAPEN

As early as 1932, while still Reichschancellor of the German republic, the defendant Franz von Papen actively contributed to the development of the Fascist movement in Germany. Papen rescinded the decree of his predecessor Bruening prohibiting the activities of the SA storm units. It was he who overthrew the

Braun-Severing social-democratic government in Prussia. These measures strengthened greatly the position of the Fascists and contributed to their accession to power. In this manner Papen cleared the way for Hitler. Having secured the power for the Nazis, Papen himself assumed the post of Vice-Chancellor in Hitler's cabinet. In this capacity von Papen participated in the elaboration and the promulgation of a series of legislative acts which aimed at the consolidation of German Fascism. And later on, during the course of many years, and until the collapse of Hitlerite Germany, von Papen remained true to his Fascist friends and participated to the utmost of his abilities in the realization of the criminal conspiracy.

The defendant von Papen is attempting now to explain away his role in the development of the Nazi movement and in Hitler's rise to power by the political situation of the country which, according to him, made Hitler's accession to power unavoidable. The real motives which guided von Papen are that actually he himself was a convinced Fascist devoted to Hitler.

Speaking at Essen on the 2 November 1933, during the election campaign Papen declared:

"From the time that destiny called upon me to become the pioneer of the national reawakening and rebirth of our Fatherland, I strove with all my might to support the work of the National-Socialist movement and all of its leaders. Just as I pronounced myself, when I became chancellor, for paving the way for the young shock movement of liberation, just as on the 30th January I was chosen by a merciful providence to transfer the power to the hands of our Chancellor and Fuehrer, so today I felt it incumbent upon me to tell the German nation and all those who have kept their trust in me; merciful God has blessed Germany by giving her, in the days of deep distress, a leader with the reliable intuition of a statesman, who will lead her through all misfortunes and weaknesses, through all crisis and dangers to a happy future."

The International Military Tribunal will appreciate to the full the criminal activity of the Defendant von Papen, who played a decisive part in the seizure of power by Hitler and, in doing so, contributed to the creation of the dark powers of Nazism who brought sanguinary wars on the world and caused innumerable calamities.

SPEER

Long before the Nazi came to power the architect, Albert Speer, was a personal friend of the architect's draftsman, Hitler and remained one till the end. Not only common professional interests but political interests brought them together. Speer began his career in 1932 with the reconstruction of the "Brown House", the headquarters of NSDAP in Berlin, and 10 years later he was at the head of all the military constructions and war production in Fascist Germany. Starting with the construction of the Reichs "Parteitag", Speer ended by setting up the "Atlantic Wall". Speer held an important post in the government and military machinery of Hitler's Germany and played a direct and active part in planning and bringing into effect the criminal conspiracy.

What is Speer's "line of defense" at the trial? Speer presents his case in the following way: he was pressed upon by Hitler to take on the post of minister; he was a close friend of Hitler's, but he knew nothing about his plans; he was a member of the Nazi Party for 14 years, but he stood far from politics and had never even read "Mein Kampf". It is true that upon being given the lie Speer confessed that he had lied during his preliminary interrogation. Speer lied when he denied that he had never belonged to the SA, and then to the SS. The Tribunal possesses the original file of the SS man Albert Speer, who belonged to the personal staff of the SS Reichsfuehrer SS Himmler. *(3568–PS, USA 575)*

Speer held also a rather high rank in the Nazi party. In the party chancellery he was delegate for all technical problems, he headed the chief technical administration of the party, he directed the union of German National Socialist technicians, he was plenipotentiary on the Staff of Rudolf Hess, and a leader of one of the major German Labor Front organizations.

After all this, can Speer's declaration that he was a political specialist be taken into consideration? In reality, as a close collaborator of Hitler, Hess, Ley, and Goering, he directed the German technique not only as Reichsminister, but also as a Nazi political leader.

Upon succeeding to Todt, Speer, as he expressed himself in his speech before the Gauleiters, devoted himself completely to the solution of war problems. *(1435–PS)* By means of the pitiless exploitations of the population in the occupied territories and of the prisoners of war of the allied countries, at the expense of the health and lives of hundreds of thousands of people, Speer increased the production of armament and ammunition for the German army. By plundering the raw materials and other resources of the occupied territories, Speer increased the war potential of Hitler's Germany. His powers grew with every month of the war. By Hitler's decree of 2 September 1943, Speer became plenipotentiary and responsible for the supply of raw materials, for the direction and production of war industry. He was even commissioned to regulate the turnover of commodities and by

Hitler's decree of August 24, 1944, Speer was practically made dictator of all German authorities in Germany as well as in the occupied territories whose activity was in any way connected with the strengthening of German military power. And when the Fascist flyers bombed peaceful towns and villages, killing women, old men, and children, when the German artillery shelled Leningrad with heavy artillery, when the Hitlerlite pirates sank hospital ships, when the "V" bombs destroyed towns in England, all this was as a result of Speer's activity. Under his leadership, the production of gas and of other means of chemical warfare was widely increased. The defendant himself, when interrogated by Justice Jackson at the trial, confessed three factories were turning out products for chemical warfare and that they were working at full speed till November 1944.

Speer not only knew of the methods used by Sauckel for deporting to slave labor the populations of the occupied territories, but he himself took part, together with Sauckel, in conferences with Hitler and on the "Central Planning Board", where decisions were taken to deport millions of people to Germany from the occupied territories. *(1292–PS, USA 225)*

Speer kept up a close contact with Himmler; he received from Himmler prisoners for work in war factories; branches of concentration camps were organized in many factories subordinated to Speer; in recognition of Himmler's services Speer supplied the SS with experienced specialist and with supplementary war equipment.

Speer has said a lot here about his having sharply criticized Hitler's environment, that he had allegedly had very serious dissensions with Hitler, and that in his letter to Hitler he had written about the uselessness of continuing the war. When the representative of the Soviet Prosecution asked Speer which of the persons close to Hitler he had criticized and in what connection, the defendant answered: "I shall not tell you". It is quite evident that Speer not only did not want, but could not tell it, for the simple reason that he had never criticized anyone who was close to Hitler. Moreover, he could not criticize them as he was a convinced Nazi himself and belonged to this close environment. As to the so-called "serious dissensions", they began as Speer admitted, when it became clear to him that Germany had lost the war. Speer's letters to Hitler are dated March 1945. At that time Speer could, without great risk, depict Germany's hopeless condition. It was apparent to everyone and was no longer a subject of discussion. And it was not by accident that Hitler appointed precisely Speer, on 30 March 1945, to direct measures for the total destruction of the industrial enterprises, by obliging all Party, State, and military offices to render him extensive help.

That is the true picture of the defendant Speer and the real part played by him in the crimes committed by Hitler's gang.

VON NEURATH

Constantine von Neurath's part in the consolidation of the Nazi conspirators, power and in the preparation and realization of aggressive plans is a remarkable one.

Over a period of many years, every time that traces had to be covered up, that acts of aggression were to be veiled by diplomatic manipulations, Neurath, Nazi diplomat and SS general, came to the help of the Hitlerites, bringing them his longstanding experience of world affairs.

I will recall the official evaluation of Neurath's activity, as it appeared in all the newspapers of Fascist Germany on the 2nd of February 1943 *(USSR–485):* "The departure from the Geneva disarmament conference on the 14th October 1933, the return of the Saar territory, and the proclamation and denunciation of the Locarno Treaty will rank among the most outstanding political events since the coming to power of the Nazi regime. In these, Baron von Neurath played a decisive part and his name will always be connected with them."

In his capacity of Reich protector of Bohemia and Moravia, Neurath was to the Nazi conspirators those so-called "firm and reliable hands" of which General Frederici wrote in his memorandum, and which were to turn the Czechoslovak republic into an "indissoluble part of Germany". In order to attain that object, Neurath established the notorious "new order", the nature of which is now known to all and sundry.

Neurath attempted to assert, here, that all the atrocities were committed by the police and Gestapo, upon Himmler's direct order, and that he knew nothing of them. It is quite understandable that Neurath should say so, but one can hardly agree with him. Interrogated on the 7 March 1946, Karl Frank testified that Neurath received regularly the reports of the Chief of Security Police, as well as those of Frank himself, regarding the "most important events in the Protectorate pertaining to the Security Police". He stated also that it was possible for Neurath to issue directives to the Gestapo, and that he did indeed do so; while, as far as the SD was concerned, his rights were still more vast depending in no way upon the consent of the Main Reich Security Office *(USSR–494).*

I wish also to recall to your memory, paragraphs 11, 13, and 14 of the order issued on 1 September 1939 by the Reich Defense

Council which prove that the Reichsfuehrer SS and Chief of the German Police carried out administrative measures in Bohemia and Moravia with the knowledge of the Reich Protector, and that the German Security Police organs in the Protectorate were obliged to inform the Reich Protector, as well as the offices subordinated to him, and keep them aware of all major events.

If I add that, on 5 May 1939, the defendant Neurath appointed an SD Fuehrer and Plenipotentiary of the Security Police to the post of political case reporter in his cabinet; if we recall the testimony of Richard Wienert, the former Premier of Bohemia and Moravia under Neurath, which has been read before the Court, to the effect that the Gestapo carried out arrests on orders of the Reich Protector, we can hardly have any doubt but that Neurath gave his sanction to the mass arrests, summary executions, and other inhuman acts, committed by the Gestapo and police in Czechoslovakia.

I will pass on to the events of the 17 November 1939, when 9 students were shot without trial, while over a thousand were hurled into concentration camps and all the Czech high schools and universities were closed for three years. Neurath said that he heard of these acts of terror post factum. But we have submitted to the Tribunal a report on the shooting and arrests of the students which bears Neurath's signature. Neurath then seeks another loop-hole; he declares that Frank signed this report in his, Neurath's name, and to be more convincing he even adds, that later he heard from an official that Frank often misused his name in documents. Are Neurath's statements to be credited? One has only to analyze briefly the actual facts in order to answer this question in the negative. Neurath says that Frank misused his name. What did Neurath do in answer to this? Did he demand Frank's resignation or his punishment for fraud? No. Did he, perhaps, report this forgery officially, to somebody? Neither. On the contrary, he continued to collaborate with Frank as before. Neurath says that he heard of Frank's misuses from an official. Who is that official? What is his name? Why wasn't any application made to call him to the witness stand or, at least, to secure his written testimony? This is simply because nobody spoke to Neurath of Frank having forged his signature on the documents, and nobody could have done so for there was no forgery.

But on the contrary, the Tribunal has evidence which confirms the fact that the report of 17 November 1939 was signed by Neurath and that the terroristical measures mentioned therein were actually sanctioned by Neurath. I am speaking of two statements of Karl Frank, who directly participated in these bloody events. During his interrogation on 26 November 1945, Karl

Frank testified *(USSR–60)*: "This document was dated 17 November 1939 and was signed by von Neurath, who did not protest either against the shooting of the 9 students or against the deportation of numerous students to the concentration camps."

I quote Karl Frank's second testimony on this matter, dated 7 March 1946 *(USSR–494)*: "By countersigning the official reports which informed him of the shooting of the students, the Reich Protector von Neurath, sanctioned this action. I informed von Neurath in detail of the course of the investigation and he signed the report. Had he not agreed and had he demanded a modification of the penalty, or its mitigation, and he had a right to do so, I would have been obliged to give in to his opinion".

In August 1939, in connection with the "special decree" by which he proclaimed Bohemia and Moravia to be an "integral part of the Greater German Reich", Neurath issued a so-called "warning". Therein he stipulated that "not only single persons, but the entire Czech population would be responsible for all acts of sabotage". Thereby he established the principle of collective responsibility and introduced the hostage system. The events of 17 November 1939, considered in the light of this directive of Neurath, supply more irrefutable proof against the defendant. *(USSR–490)*

Starting from 1 September 1939, some 8,000 Czechs were arrested as hostages in Bohemia and Moravia. The majority were sent to concentration camps; many were executed, or died of hunger and torture. On this subject you have heard, Your Honors, the testimonies of Weinert, Kreitchi, and Gavelka. There is no doubt that these terror acts against the Czech intellectuals were carried out in conformity with Neurath's so-called "warning".

I do not need to relate in detail all the events which occurred at Lidice, and later in the village of Lejaki, as they are already well known. Were not the German occupants acting in accordance with Neurath's "warning", did they not conform themselves to his principle that the entire Czech population, and not the individual persons, must bear the responsibility?

It was Neurath who initiated mass terror against the Czechoslovak population in August 1939. He has on his hands the blood of many thousands of women and men, children and old people, murdered and tortured to death, and I see no difference between Baron von Neurath and the other ringleaders of the criminal Nazi regime.

FRITZSCHE

The defendant Hans Fritzsche's part in conspiracy, the war crimes, and the crimes against humanity is certainly greater than it might appear at a first glance.

The criminal activity of Fritzsche, who was Goebbels' closest assistant, carried out systematically day after day, was a very important link in the general plan or conspiracy and it contributed singularly to the creation of the conditions, under which the numerous crimes of the Nazis were conceived and cultivated. All the attempts made by the defendant himself and his counsel in order to minimize his importance and the part he played in the perpetration of these crimes have clearly failed.

In "Mein Kampf", Hitler describes the very special part attributed in Nazi Germany to mendacious propaganda. He writes: "The problem of the resurrection of German might can be defined not as to 'How we will make weapons' but 'How we will create the spirit which will make our people capable of bearing weapons'. If this spirit invades the people, will power shall discover thousands of ways, and each of them will lead to weapons". (Quote from pages 365-366 of "Mein Kampf", 64th ed. 1933.)

Neither is it an accident that at the 1936 Congress of the Nazi Party in Nurnberg, the following slogans were proclaimed:

> "Propaganda helped us to come to power".
> "Propaganda will help us to keep power".
> "Propaganda will help us to conquer the world".

Owing to his position, the defendant Fritzsche was certainly one of the notorious propagandists and also one of the best informed persons in Nazi Germany. Besides, he enjoyed Goebbels' particular confidence.

As we know, from 1938 to 1942, Fritzsche was head of one of the key departments of the Propaganda Ministry, that of the German press. And ever since 1942 and until the defeat of Nazi Germany, he was head of the German radio.

Having grown up as far as journalism is concerned, in the reactionary press of Hugenberg, Fritzsche, who was a member of the Nazi Party since 1933, in his capacity of Government spokesman, played with his personal propaganda an important part in the dissemination of Nazism throughout Germany, in the political and moral depravation of the German people. This was testified to, in detail, by witnesses such as former Fieldmarshal Ferdinand Schoerner and former vice-admiral Hans Voss *(USSR–472); USSR–471)*

The defendant Fritzsche's broadcasts, taken down by the BBC, and submitted to the Tribunal as document 3064–PS and USSR Exhibit 496 fully confirm these charges of the Prosecution.

German propaganda in general, and the defendant Fritzsche in particular, made good use of provocational methods, lies and slanderous statements, and this was especially the case when Nazi Germany's acts of aggression had to be justified. For did not Hitler himself write in "Mein Kampf" that, page 302: "With the help of an able and continuous application of propaganda, one can even picture to the people, heaven as being hell, and on the contrary, the most sorrowful life can be pictured as heaven." Fritzsche turned out to be the best man to carry out this dirty work. In his declaration to the Tribunal, on the 7 January 1946, Fritzsche gave a detailed description of the provocative methods applied on such a vast scale by German propaganda and by him, personally, in connection with the acts of aggression against Austria, the Sudetenland, Bohemia and Moravia, Poland and Jugoslavia.

On 9 April and 2 May 1940, Fritzsche broadcast mendacious explanations of the reasons which led to the occupation of Norway by Germany. He declared: "Nobody was wounded, not one house was destroyed, life and work continued unhindered as before." Meanwhile, the official report presented by the Norwegian Government states: "The German attack against Norway on 9 April 1940, brought war to Norway for the first time in 126 years. For 2 months war was fought throughout the country, causing destruction. Over 40 thousand houses were damaged or destroyed and about 1000 civilians were killed."

German propaganda and Fritzsche, personally, spread insolent slander in connection with the sinking of the British passenger steamer "Athenia".

But German propaganda was particularly active on the occasion of Nazi Germany's felonious attack upon the Soviet Union.

The defendant Fritzsche has attempted to assert that he first heard of the attack upon the Soviet Union when he was called on 22 June 1941 at 5 a.m. to a press conference held by Foreign Minister von Ribbentrop. As far as the aggressive purposes of this attack were concerned, he allegedly only had knowledge of them, as a result of his personal observations, in 1942. However, those statements are disavowed by such documentary evidence as the report of defendant Rosenberg. *(1039–PS, USA 146)* This document establishes the fact that a long time prior to the attack upon the USSR, Fritzsche knew of the appropriate measures which were being taken and that in his capacity of representative of the Propaganda Ministry, he participated in the working out by the Ministry for Occupied Eastern Territories of propaganda measures in the East.

In answer to the questions put to him by the Soviet Prosecution during his cross-examination, Fritzsche stated that he would not have gone along with Hitler had he had knowledge of the Nazi government's criminal orders of which he heard for the first time here in Court. And here again, Fritzsche has told the International Military Tribunal a lie. He was compelled to admit that he had knowledge of the criminal Nazi orders regarding the extermination of Jews and the shooting of Soviet commissars as early as 1942. And yet he continued thereafter to remain at his post and to spread mendacious propaganda.

In his broadcasts on 16 June and 1 July 1944, Fritzsche made a great case of the utilization of new weapons, doing his best to whip up the army and the people to further senseless resistance *(USSR-496)*.

And even on the eve of the crash of Nazi Germany, specifically on 7 April 1945, Fritzsche broadcast an appeal to the German people to continue to resist the allied armies and to participate in the Werwolf-movement.

Thus, the defendant Fritzsche remained true to the last to the criminal Nazi regime. He gave his entire self to the task of realizing the Nazi conspiracy and of perpetrating all the crimes which were conceived and carried out in view of putting that conspiracy into effect.

As an active participant of all the Nazi crimes, he must bear the fullest responsibility for them.

Your Honours, All the defendants have passed before you—men without honour or conscience; men, who hurled the world into an abyss of misery and suffering and brought enormous calamities upon their own people.

Political adventurers, who stopped before no evil deed in order to achieve their criminal designs; cheap demagogues, who concealed their predatory plans behind a veil of mendacious ideas; henchmen, who murdered millions of innocent people, these men joined in a gang of conspirators, seizing power and transforming the German state machinery into an instrument of their crimes.

Now, the hour of reckoning has come. For the past nine months, we have been observing the former rulers of Fascist Germany. In the dock, before this Court, they have suddenly become meek and humble. Some of them, even, actually condemned Hitler. But they blame Hitler, not for the launching of a war, not for the extermination of peoples, and the plundering of states; the only thing they cannot forgive him is Defeat. Together with Hitler, they were ready to exterminate millions of human beings, to enslave the elite of mankind in order to achieve their criminal aim of world domination.

But History judged otherwise; victory did not follow upon the steps of Crime. Victory came to the freedom-loving nations. Truth triumphed, and we are proud to say that the justice which is meted out by the International Military Tribunal will be the justice of the right cause of peace-loving nations.

The defense spoke about humaneness. We know that the concepts of civilization and humaneness, democracy and humaneness, peace and humaneness are inseparable. But we, the defenders of civilization, democracy and peace—we categorically reject insensible humaneness which is considerate of the murderers and indifferent to their victims. Counsel for Kaltenbrunner also spoke here of love for one's fellow-men. Connected with Kaltenbrunner's name and actions, all mention of love for one's fellow man sounds like blasphemy.

My Lord, Your Honours, My statement concludes the case for the Prosecution. Speaking here on behalf of the peoples of the Union of Soviet Socialist Republics, I consider all the charges against the defendants as fully proven.

And in the name of the sincere love of mankind which inspires the peoples who consented to the greatest sacrifices in order to save the world, freedom, and culture, in memory of the millions of innocent human beings slaughtered by a gang of murderers, who are now before the Court of a progressive mankind, in the name of the happiness and the peaceful labor of future generations, I appeal to the Tribunal to sentence all the defendants, without exception, to the supreme penalty. Such a verdict will be greeted with satisfaction by all of progressive mankind.

CLOSING STATEMENT FOR THE UNITED STATES OF AMERICA ON THE INDICTED ORGANIZATIONS

(Reich Cabinet; Political Leadership Corps; S.S.; S.D.; Gestapo; S.A.)

by

THOMAS J. DODD

Executive Trial Counsel
For Mr. Justice Robert H. Jackson

MR. PRESIDENT:

Since the 20th day of November 1945, this International Military Tribunal has been in almost continual session. In these many months, a record of more than 15,000 pages has been compiled. Over 300,000 affidavits have been submitted, about 3,000 documents have been offered, and oral testimony has been heard from some 200 witnesses.

This great mass of evidence, oral and written, almost exclusively of German origin, has established beyond question the commission of the crimes of criminal conspiracy, aggressive war, mass murder, slave labor, racial and religious persecutions, and brutal mistreatment of millions of innocent people. The four prosecuting powers have indicted and held responsible for these frightful crimes as individuals the twenty-two defendants named in the Indictment.

But the four prosecuting powers recognizing that the twenty-two individual defendants could not by themselves alone accomplish the execution of these enormous crimes have also named in the Indictment the Nazi organizations, as the principal media, by and through which these transgressions were effected. These organizations—some Nazi-created, some Nazi-perverted—were the agencies upon which the defendants relied and through which they operated for the accomplishment of their criminal purposes over the complacent people of Germany and over the conquered peoples of Europe.

The named organizations fall into two classes. In the first class are those which are peculiarly Nazi creations, having no counterpart outside the Nazi regime and which had no intrinsically legitimate purpose. This group includes the Politische Leiter, the SA, and the SS. In the second class are those which existed in one form or another before the Nazi regime but which were corrupted by the Nazis. This group includes the Reich

Cabinet, the High Command and General Staff, and the Gestapo. As to this second class, it is not our contention that the Institutions themselves were basically criminal, but rather that they became criminal under Nazi domination. Although, by its very nature as a secret political police system, the Gestapo was the most easily adapted to criminal purposes and became the most effective of all instruments of Nazi criminality.

It would be a mistake to consider these organizations named in the Indictment as isolated, independently functioning aggregations of persons, each pursuing separate tasks and objectives. They were all a part of, and essential to, the police state planned by Hitler and perfected by his clique into the most absolute tyranny of modern times. That police state was the political Frankenstein of our era, which brought terror and fear to Germany and spread horror and death throughout the world. The Leadership Corps of the Nazi Party was its body, the Reich Cabinet its head, its powerful arms were the Gestapo and the SA, and when it strode over Europe its legs were the armed forces and the SS. It was Hitler and his cohorts who created this police-statemonster, and it brought Germany to shame and the nations of Europe to ruin.

It would likewise be erroneous to view the structure of this police system as something casual or its growth and development as normal political phenomena. For it was planned from the earliest days by the conspirators. The Nazi "old fighters" had a design for despotism. They built the SA at the outset as a private band of strong-arm men to wield the club against the political opponent and the whip against the Jew. They established the SS as the dread guard of the Fuehrer and of themselves. When they seized power they abolished police protection and substituted police persecution as the mission of the Gestapo. They wiped out all semblance of free government and set themselves up in the Reich Cabinet with plenary powers. They depraved the highest traditions of military ethics and substituted "willing tools" for ranking men at arms. They obliterated all other political parties and fastened on the German people a political straight jacket in the form of the Leadership Corps.

Deprive the Nazi conspirators of these organizations and they could never have accomplished their criminal aims. Take away the SA and they would have lost the mastery of the streets; take away the SS and they would have had no concentration camp system; take away the Gestapo and they would have had no means of illegal arrest and unlimited detention; take away the Reich Cabinet and they would have had no subservient law-making body; take away the truckling military men and they could not have secretly planned their attacks or ultimately waged their wars.

The provisions of the Charter empowering the Tribunal to declare a group or organization criminal, and the functions of the Tribunal under those provisions, have been dealt with in the legal arguments and memoranda previously submitted to the Tribunal by the Chief Prosecutors. At that time,[1] in response to the request of the Tribunal, Mr. Justice Jackson stated the grounds which, in our view, warrant declaring a group or organization criminal.

Before now undertaking to summarize the evidence, it may be well to restate those tests:

1. It must be a "group" or "organization" within the meaning of Article IX of the Charter, i.e., it must be an aggregation of persons, associated in some identifiable relationship, having a collective general purpose, or pursuing a common plan of action.

2. Membership in the organization must have been basically voluntary, i.e., the membership of the organization as a whole, irrespective of particular cases of compulsion against individuals or groups of individuals within the organization, must not have been due to legal compulsion.

3. It must have participated directly and effectively in the accomplishment of the criminal aims of the conspiracy, and it must have committed crimes against the peace or war crimes or crimes against humanity, as charged in the Indictment.

4. The criminal aims or methods of the organization must have been of such character that its membership in general may properly be charged with knowledge of them.

5. Under the Charter the Prosecution must also establish that at least one of the defendants in the dock who is a member of the organization is guilty of some act on the basis of which the organization may also be declared criminal.

These are the tests of criminality which the American Prosecution has conceded must be met with respect to each organization before a declaration of criminality as to that organization is warranted. My distinguished colleague, Sir David Maxwell-Fyfe, has discussed in his address the evidence against most of the organizations; and the Russian and French Prosecutors will review specific crimes committed by these groups. I shall not discuss the High Command since it is to be the subject of a special argument by a member of the American staff. I shall, with the consent of the Tribunal, address my remarks to the general proposition of whether the Prosecution has sustained the burden of proving by competent evidence that each of the named organizations is criminal under all of the principles stated.

1. Each of the Five Organizations is a "Group" or "Organization" as these Terms are Used in the Charter.

The evidence clearly establishes that the five organizations in question are groups or organizations as we interpret these terms in the Charter, that is, each is an aggregation of persons, associated in an identifiable relationship having a collective general purpose.

That the Politische Leiter were an identifiable aggregate, had a common purpose, and functioned as a group, is clear. Ample evidence as to the structure and functions of the Leadership Corps of the Party is to be found in Nazi publications—the Organization Book of the NSDAP,[2] "der Hoheitstrager," the official magazine of the Leadership Corps,[3] in the chart of the Leadership Corps,[4] and a chart of the Party itself.[5] This group some 600,000 strong had special uniforms, carried special membership cards and enjoyed countless special privileges.[6] The term "Politische Leiter" is not one we have invented for the purpose of giving an appearance of cohesion to a number of unrelated individuals performing similar, but uncoordinated, functions in the Party. The Organization Book of the Party itself deals with all these Party workers as a unit under the designation "Politische Leiter."[7] It shows the hierarchical structure in which they were organized and the manner in which directives were passed down automatically through the chain of command to the lowest level and were carried into effect by all members of the group. It shows further that in the functioning of this corps, the Leadership principle reached perfection. All Party workers were bound by identical oaths to unconditional obedience to the Fuehrer and to all leaders appointed by him.[8] At each level, regular and frequent conferences were held and the higher and lower levels met together periodically for discussions of policy.[9] The Leadership Corps constituted a perfect pyramid in which every stone at every level was necessary to maintain the whole structure. It had one single, common purpose—the maintenance of the organization and ideology of the Nazi Party.

The Indictment defines the "Reichsregierung" (Reich Cabinet) as consisting of three classes of persons: (1) members of the ordinary cabinet after January 30, 1933; (2) members of the Council of Ministers for the Defense of the Reich; and (3) members of the Secret Cabinet Council. These three classes together make up the group of 48 members which we are prosecuting under the designation "Reichsregierung." Each of these, taken by itself, constitutes an identifiable aggregate working toward a common end. The ordinary cabinet of any government is as clear an example of a group as could be found. The ordinary cabinet of the Nazi Reich did not differ in that respect from similar institutions in other governments. It met frequently as a cabinet in the early days of the Nazi regime,[10] and when meetings thereafter became uncommon, it continued to function as a group in passing on decrees and laws through the procedure of circulating drafts of proposed enactments to all its members.[11] An example of this procedure is before the Tribunal in the form of a memorandum from the Defendant Frick to the Chief of the Reichs Chancellory.[11a] The same cohesion and unified function is found in the Council of Ministers for the Defense of the Reich, which was established in 1939. Like the ordinary cabinet, its members consulted together in actual meetings as shown by the minutes of such meetings in September, October, and November 1939.[12] And, like the ordinary cabinet, it also functioned by using the circulation procedure, a typical instance of which is the letter from Dr. Lammers, September 17, 1939, to members of the Council of Ministers for the Defense of the Reich.[13] The Secret Cabinet Council, an advisory body on foreign policy, consisting of eight members, was an identifiable unified aggregation as appears from the decree which created it.[14] The inclusion of these three classes under the single designation "Reichsregierung" is not an attempt to create an artificial relationship among three separate and independent entities. Actually, the three were collectively as much a group as each was independently, for the Council of Ministers for the Defense of the Reich and the Secret Cabinet Council were really committees formed out of the ordinary cabinet. The decrees creating these two committees[15] demonstrate that the entire personnel was composed of individuals who were in the ordinary cabinet. Not only in personnel, but in action, functions, and purpose as well, the ordinary cabinet and its committees were unified. Members of the ordinary cabinet who were not members of these committees were, nevertheless, present at meetings of the Council of Ministers, as shown by minutes of such meetings[16] and, under the circulation procedure, received drafts of decrees prepared by the Council of Ministers.[17] This aggregation—the cabinet and the committees formed of some of its members—had a single collective purpose, that of governing the Reich in such a fashion as to carry out the schemes of the Nazi conspirators.

The SA, which was created in 1920, is one of the simplest examples of the type of group or association contemplated by the provisions of the Charter. It was defined by a German Law[18] as a component of the Party, having its own legal personality, and it was characterized by the Nazi Party Organization Book[19] as a distinct entity. It had an identifiable membership from 1,500,000 to 2,000,000 members, bound together by common standards, wearing a common and distinctive uniform, having common aims and objectives, and carrying on common activities. The general purpose of the SA, to which the whole membership was devoted, was stated in the Organization Book of the Party, "to be the bearer of National Socialists armed will[20] and, according to the same Party manual, a member had to withdraw if he no longer agreed with the SA views or was not in a position to fulfill completely the duties imposed upon him as a member of the SA.[21]

Like the SA, the SS was beyond question a unified organization. It was established by German law[22] as a component of the Party having its own legal personality. It was described in the Organization Book of the Party[23] as a "homogeneous firmly welded fighting force * * * bound by ideological oaths." It had a clearly identifiable membership which rose to about 600,000 toward the end of the war, composed of persons who met the same basic uniform standards of race ideology.[24] Despite its many functions and activities, and its numerous departments and offices and branches, it was an integrated and unified organization and it was, according to Himmler's tirade to the SS Gruppenfuehrers on October 4, 1943,[25] "One bloc, one body, one organization." It had of course its own uniform and enjoyed special privileges while pursuing the general purposes of the Nazi conspirators running all the way from neighborhood bullying through political, racial, and religious barbarities to the waging of wars of aggression, and the most violent and revolting crimes against humanity.

From its earliest days, the Nazis always regarded that portion of the police forces called the "Gestapo" or Secret State Police, as a separate group, a clearly identifiable aggregate performing a common function. The very purpose of Goering's decree of April 26, 1933,[26] establishing the Gestapo in Prussia was to create in that province a single body of secret political police, separated from the other Prussian police forces, an independent force having its own particular task, on which he could entirely rely. The same motives led to the establishment of similar identifiable groups of secret political police in other German provinces. The steps by which these groups were all consolidated into a single secret political police force for the whole Reich are fully detailed in the decrees and laws which have been cited to the Tribunal.[27] When the RSHA, the Reich Main Security Office, was created in 1939 the Gestapo was not dispersed, but became a distinct department of that central office, as shown by the Chart of RSHA introduced in evidence,[28] and by the testimony of the witnesses Ohlendorf[29] and Schellenberg.[30] They easily estimated the number of persons in the Gestapo at from 30,000 to 40,000.

Throughout these proceedings, the Gestapo and the SD have been considered together due to the fact that the criminal enterprises with which each is chargeable were supported, to a greater or lesser degree, by both. The Indictment charges the Gestapo with criminality as a separate and independent group or organization. The Indictment includes the SD by special reference as a part of the SS, since it originated as part of the SS and always retained its character as a Party organization as distinguished from the Gestapo which was a State organization. The SD, of course, had its own organization, an independent headquarters with posts established throughout the Reich and in occupied territories and with agents in every country abroad.[31] It had a membership of from 3,000 to 4,000 professionals assisted by thousands of honorary informers, known as V-men, and by spies in other lands,[32] but we do not include honorary informers who were not members of the SS. In 1939, the main offices of the SD and the Gestapo were consolidated in the RSHA,[33] but the SD at all times preserved its independent identity.

Surely the prosecution has met the requirements of group proof as to these organizations, not only by the standards which it has imposed upon itself but as well by every ordinary rule of reason and experience.

II. Membership in Each of the Five Organizations was Voluntary.

Membership in the Leadership Corps was indisputably voluntary. No one was compelled to join the NSDAP much less to become one of the leaders of the Nazi Party.[34] We do not doubt that many joined the Leadership Corps for business, social or other selfish reasons. These are the commonplace motives for cheap political prestige but they cannot and do not amount to legal compulsion.

No one was drafted into the Reich Cabinet. Moreover, some of its members resigned when they found themselves in conflict with its aims and objectives. Schlegelberger left because of the infringement of the independence of the judiciary;[35] Schmitt resigned because he was convinced that Hitler's course was the way to war;[36] Eltz von Ruebenach resigned because of Hitler's policies against the Christian Churches.[37] A place in the Cabinet circle with its titles and tinsel was the high ambition of most of the Nazis. Competition for these places was fierce and any present effort to fend off a declaration of criminality against this group with a pretense of membership by force is ludicrous.

So free of compulsion was membership in the SA that the Party Organization Book, as late as 1943, urged SA men to withdraw from the organization if they felt they were unable to agree with the aims and ideology and to fulfill all the duties imposed upon them.[38] Party members were not forced into the SA lists. The controls and the disciplines imposed on SA members within the framework of the organization have nothing to do with the voluntary character of the membership itself. The willing submission of the SA man to the SA command is not the same thing as compulsory and involuntary entry into the organization.

Applicants for the SS not only were volunteers but in addition they had to meet the strictest standards of selection, as is illustrated in the SS Soldiers Manual,[39] and by Himmler's insistence on free and voluntary applications for membership as set out in his letter of 1943 to Kaltenbrunner.[40] The SS characterized itself as an elite and select corps, advertised that it carefully weeded out every applicant who did not conform to its racial, biological, and ideological standards, and made it plain to everyone that unusual qualifications were required for membership. Such in fact was Himmler's boast to the Wehrmacht, "Should I succeed in selecting from the German people for the organization as many as possible who possess this desired blood and in teaching them military discipline and in the understanding of the value of blood and the entire ideology resulting from it, then it would be possible actually to create such an elite organization as should successfully hold its own in all cases of emergency." [41] The "elite" were required to establish Nordic descent, in the case of an officer applicant as far back as the year 1750 and for regular applicants to the year 1800.[42] In addition unusual physical standards of height and odd requirements of Nordic appearance were set up and the political and ideological background of every "elite" candidate was carefully scrutinized. It is highly significant that we have proof of insistence on these racial and ideological qualifications as late as 1943, even in the Waffen SS.[43] It has been argued that because some men were conscripted into the Waffen SS in the last desperate stages of the war, the organization as a whole was not a voluntary one. Those who were actually forced into divisions of the Waffen SS may have an adequate defense in subsequent hearings, but we insist that compulsion born of a frantic effort to stave off defeat in the closing hours of the war does not change the essentially voluntary aspect of the membership as a whole. Whatever pressures may have been exerted to expand the membership of this organization, it originated and remained basically voluntary and selective.

The SD as a part of the SS was composed of SS men with special qualifications. The deeds of this organization best explain the nature of these qualifications for the record in this case is replete with horrible tales of their doings. The SD man was simply a surcharged SS man. If the membership of the SS was basically and fundamentally voluntary, then it follows automatically that the SD membership was likewise voluntary.

The Gestapo was at all times a State organization, a branch of the government similar in all usual respects to other branches of the government. In considering the voluntary character of its membership, all other considerations are secondary to this basic determination of the Gestapo as an agency of State. If membership in the Gestapo was compulsory, membership in the Order Police, and in the Department of Safety, and in the Department of Finance must have been compulsory. When the Gestapo was created, following the seizure of power, it is true that many members of the previously existing political police system of the various Laender were transferred to it. But they were under no legal compulsion to join. As the Gestapo affiant Losse stated, "If they had refused, they would have had to reckon with a dismissal from the service without pension so that unemployment would have threatened them." [44] The witness Schellenberg stated that new members of the Gestapo were taken on a voluntary basis.[45] Any one of them could have resigned and sought employment in other branches of the Government or in positions disassociated from Government service. To become a member of the Secret State Police, a person applied for a position just as in any other branch of Government. The witness Hoffman, in testifying before the Commission, stated that he applied for a job in three branches of the Government of which the Gestapo was one.[46] The Gestapo accepted his application and in that way he became a member of the organization. There was nothing to prevent a Gestapo official from resigning his position if the aims and activities and methods of the organization became repugnant to him. The witness Tesmer testified before the Commission that if an officer refused to carry out a criminal order he probably would be removed from his employment.[47] Even after the war began, when all Governmental officials were more or less frozen in their positions, members of the Gestapo were able to resign. The witness Tesmer himself resigned from the Gestapo during the war,[48] and the witness Straub testified that a person could resign his position in the Gestapo at the risk of going to the front in active military service.[49]. Surely this was not compulsion in any legal sense. The sacrifices which members of the political police might face upon resignation, such as loss of seniority and forfeiture of pension rights may have seemed decisive to those who remained in the Gestapo, but such considerations could under no circumstances be construed as legal compulsion justifying continued membership in an organization of such notorious criminality. There may be particular instances where some members of the army secret field police were later transferred from the military to the Gestapo. In such instances, these individuals may have gained on the basis of military orders a personal defense to the crimes committed by the Gestapo during the period of their membership. But such special instances justifiable in subsequent proceedings, can in no way affect the basic character of the Gestapo as a single department of the Government with no greater degree of compulsion to join and no greater legal restraint from resigning than any other department of the State.

It takes character to stand up against great evil—this has always been so. It may be necessary for a man to brave some humiliation and some sacrifice, in order to refuse to do the evil bidding of an evil master. But responsibility for the crimes of these organizations should not be evaded by the application of a dry, technical or meaningless concept of compulsion.

III. The Criminal Activities of the Five Organizations.

From the establishment of the Nazi Party in 1920, until the conclusion of the war in 1945, these organizations were used by the conspirators for the execution of their schemes and each committed one or more of the crimes described in Article VI of the Charter and participated in the general conspiracy. The Leadership Corps was the first of the organizations to appear on the stage. The next step was the creation in 1920 of a semi-military organization, the SA, to secure by violence a predominant place for the Party in the political scene. Out of this group, the more select and fanatical SS was formed in 1925, to replace the SA while the latter was banned, and then to join with it in laying the groundwork for the revolution. Upon the seizure of power in 1933, the next organization, the Reich Cabinet, took its place in the conspiracy. With the Government in their hands, the conspirators hastened to suppress all potential opposition, and to that end they created the Gestapo and the SD. Internal security having been guaranteed, they then obtained for promotion of their plans of aggrandizement the last of their implements in the form of the military.

Each of these was necessary to the successful execution of the conspiracy—the Leadership Corps to direct and control the Party through which political power had to be seized; the SA and SS to oppose political opponents by violence and, after 1933, to fasten the Nazis' control on Germany by extra-legal activities; the Cabinet to devise and enact the laws needed to insure continuance of the regime; the Gestapo and the SD to detect and suppress internal opposition, and some servile soldiery to prepare and carry out the expansion of the regime through aggressive war.

Each of the organizations continued to play a necessary and vital part at all times throughout the conspiracy. The program of the Nazi regime stemmed from the Nazi Party. As Hitler said in 1933.[50] "It is not the State which gives orders to us, it is we who give orders to the State," and again in 1938 Hitler stated[51] "National Socialism possesses Germany entirely and completely since the day when, five years ago, I left the house in Wilhelmplatz as Reich Chancellor * * * The greatest guaranty of the National Socialist revolution lies in the complete domination of the Reich and all of its institutions and organizations, internally and externally, by the National Socialist Party." It was the Leadership Corps that formulated the policy of that Party. It was the Leadership Corps that held the Party together. It was the Leadership Corps, through its descending hierarchy of fuehrers, down to the Blockleiter who controlled forty households, that kept a firm grip upon the entire populace. Every crime charged in the indictment was a crime committed by a regime controlled by the Party, and it was the Leadership Corps which controlled the Party and made it function.

While the Party, through the Political Leaders, gave orders to the State, it was the Reich Cabinet—the law-making, executive and administrative representative of the State—that transformed those orders into laws. Just as the Leadership Corps made the Party function, so the Cabinet made the State function. Every crime which we have proved was a crime of the Nazi State, and the Reich Cabinet was the highest agency for political control and direction within the Nazi State.

But policy and laws are not enough. They must be put into effect and carried into operation. The four other organizations were the executive agencies of the Party and the State. When it was a question of enforcing laws, of detecting, apprehending, imprisoning and eliminating opponents or potential opponents, the SD, the Gestapo, the SS and the machinery of concentration camps came into play. The close relationship between the SD and the Gestapo and the importance of the former in selection of Nazi officials is disclosed by the defense affidavit of Karl Weiss who averred that all political police officials were screened by the SD before being accepted into the Gestapo.[52] And the SD violated the integrity of German elections by reporting how the people voted in secret ballots.[53] When the policy called for war, the para-military organizations like the SA and SS laid the foundation, and top militarists prepared the plans for a powerful German army. When it became a question of exterminating the population of conquered territories, of deporting them for slave labor and of confiscating their property, the OKW and the SS had to plan joint operations and, in collaboration with the Gestapo, to carry them into effect. Thus, the Party planned, the Cabinet legislated, and the SS, SA, Gestapo and the military leaders executed. The manner in which this was done can be illustrated by taking up a number of the principal crimes alleged in the Indictment and showing how the five organizations participated in the commission of each crime.

The basic program for aggression is to be found in the Nazi Party program of twenty-five points proclaimed by Hitler in 1920 and declared unalterable.[54] It included demands for the unification of all Germans in Greater Germany, for the abrogation of the treaties of Versailles and St. Germain, for land and colonies and for the creation of a national army. As the Party Manual shows,[55] this platform was the table of commandments, and from it was drawn the dogma for every Political Leader. All members of the Leadership Corps bound themselves to follow these precepts and to spread this doctrine.

As early as April 1933, the Cabinet, by resolution, created the Reich Defense Council, a body of cabinet members whose function was to prepare the nation for war.[56] In October 1933, the Cabinet proclaimed Germany's withdrawal from the League of Nations and the Disarmament Conference.[57] A year and a half later, in March 1935, it reestablished the Wehrmacht and provided for compulsory military service.[58] Its war planning measures were carried further by its enactment in May 1935 of a secret unpublished Reich Defense Law, providing for the appointment of a plenipotentiary-general for war economy with sweeping powers, and its decision that the plenipotentiary should begin his work at once, even in peacetime.[59] In February 1938, on the eve of the seizure of Austria, a second component of the Reich Cabinet, the Secret Cabinet Council, was created to advise Hitler in conducting foreign policy.[60] And it was the defendant von Neurath, the President of that council who took diplomatic steps to justify and excuse this aggressive action.[61] After the seizure had been accomplished, it was the Cabinet which provided for the reunion of Austria with the Reich.[62] Six months later, in September 1938, by another secret and wholly unpublished law,[63] the Cabinet provided for a three-man college of plenipotentiaries whose function[64] was to have prepared at all times complete plans and ready measures for the sudden and not-to-be-declared war. In November 1938, it was a Cabinet law which provided for the integration of the Sudetenland with Germany,[65] and in March 1939 for the incorporation of Memel into Germany.[66] The Tribunal will remember the dramatic meeting of the Reich Defense Council held in June of 1939 where preparations were completed for the coming war and detailed plans were approved such as using prisoners of war and concentration camp inmates for war production, compulsory work for women in war time, and the bringing of hundreds of thousands of workers from the Protectorate to be housed together in hutments.[67] In August 1939, on the eve of the attack on Poland, the Ministerial Council for the Defense of the Reich, the third component of the Reich Cabinet, was created out of members of the Cabinet to act as a smaller working group in the exercise of legislative and executive wartime powers. Thereafter, it was this component of the Reich Cabinet, rather than the ordinary cabinet, which enacted most of the legislation for carrying on the war, but with the knowledge and participation of the entire membership of the ordinary Cabinet.

While the Cabinet was thus preparing the legal and administrative framework for aggression, the other organizations were actively engaged in related preparations to the same end. An aggressive militaristic psychology on the part of the people and the building up of a powerful army were essential to prepare the nation for war. To the attainment of these ends the SA assiduously devoted itself. First in 1933 by engaging in an intensive propaganda campaign demanding colonies, Lebensraum, the abrogation of the Treaty of Versailles, falsely attributing aggressive designs to Germany's neighbors and generally spreading the now well-known party bromides.[68] Almost simultaneously, it organized a training program for German youth in the technique of modern war, at first, in dark secrecy but finally in the open when it felt itself sufficiently prepared and was sure of no outside interference.[69] But the SA did not confine itself to mere preparations. When the first aggressive action, that against Austria was taken, units of the SA marched through the streets of Vienna and seized the principal government buildings,[70] and in the plans for the seizure of the Sudetenland, the SA formed a part of the Henlein Free Corps and furnished it with supplies and equipment.[71]

The activities of the SS were similar to the SA and even more wide-spread.[72] Like the SA, it served as a para-military organization in the years preceding 1938. Like the SA, it participated in the aggression against Austria and in the conspiracy to undermine Czechoslovakia, through the Henlein Free Corps. Its activities are distinguishable from those of the SA in these matters only because it played the more important part.[73] Its professional combat forces joined with the army in marching into the Sudetenland and Bohemia-Moravia, and in the invasion of Poland.[74] One of its main departments, the Volksdeutsche Mittlestelle, was a center for fifth column activities.[75] The SD of the Reichsfuehrer SS operated a network of spies throughout the world and its agents were spying in the United States before Germany declared war upon America.[76] The largest branch of the SS, the Waffen SS, was created and developed for the sole purpose of carrying on the war and participated, as an SS army, in all phases of the war in the East and in the West.[77] Its shameful record of war atrocities needs no amplification here. The Gestapo and SD were likewise involved in the commission of crimes against the peace. The very incident that served as an excuse for the invasion of Poland, and thus set off the entire war, was executed by the Gestapo and the SD. I refer to the simulated Polish attack on the radio station at Gleiwitz, where concentration camp prisoners were dressed in Polish uniforms, murdered and left as evidence of a Polish raid, so as to afford Hitler a justification for the attack upon Poland.[78] Of course the professional military clique planned and participated in all aggressions from the militarization of the Rhineland in 1936 to the attack on Soviet Russia in 1941.[79]

The waging of these wars of aggression was possible for Germany only by the utilization of millions of enslaved workers, and the slave labor program was possible only with the assistance of these organizations. Sauckel was the master slaver but he needed a million party whips to enforce his merciless dictates. The SS, the Gestapo and the SD at his bidding drove the foreign serfs within the Reich borders under the lash of deceit, of kidnapping, of heart-breaking family separations, of arson, of torture and of murder.[80] [81] [82] The Leadership Corps in cooperation with the Nazi labor front and with industrial management were Sauckel's receiving agents for these unfortunate ones.[83] At the Reich level and at the Gau level members of the Leadership Corps helped arrange for the conditions of bedding, feeding and restraining these wretched humans giving them less attention and less decent concern than primitive man often gave to his brutes.[84] The Gauleiters functioning as Reich Defense Commissars, at the order of Speer and Sauckel, and under the most revolting conditions of conveyance shunted the slaves from receiving depots to armament industries[85] where like stanchioned beasts they were submitted to sub-human indignities and worked to death. Medical care and even the most simple medical supplies were refused them. Denied even the social advantages of the barnyard they struggled under less than good stable standards.[86] With a crassness unknown to ordinary domestic animal care directives providing for the abortion of female laborers were distributed to Gauleiters and Kreisleiters and their staffs.[87] Their keepers were of the Gestapo and the SD and the cell blocks of the concentration camp awaited any who chafed under the cruelty.[88] Urged on by Speer, the Gauleiters utilized prisoners of war for slave labor purposes[89] and Rosenberg's minions in the Eastern territories under the spur of Sauckel's demands gleaned new millions for thralldom.[90] The army harnessed thousands for the construction of military fortifications and for military production,[91] and Keitel carried out

Hitler's orders by hitching honorable soldier-war-prisoners to machines that made materials for war.[92] The greedy Goering sought war prisoner slaves for his air armament industries and suggested new uses for old orders violating recognized codes of warfare,[93] and his aide Milch, thought of the forced use of Russian prisoners of war to man antiaircraft batteries as comedy relief for the oppressive madness of the times.[94] Depravity supplanted degradation and death became the declared objective of concentration camp labor establishments under the SS.[95] [96] Of necessity all of this went on with high Cabinet approval[97] as the impact of this whole terrible program created new problems for Germany.

So the slaves suffered in the midst of the German population as thousands of them were farmed out for better or for worse to householders, to great and to small industries. Until, at last, in the closing hours of the conflict, under pressure of the grim necessities of the war situation and solely to increase the war effort, the Nazi Government itself was forced to issue an order to slacken the violence against those who were in chains. The great significance of this order cannot be overstated. By its own terms, it makes perfectly clear that cruelty to the slaves was a state policy carried out by the German people. It is damning evidence against the whole German nation. It is, in our judgment, one of the most important documents in this case. It is shocking to realize that it came from the Party Chancellory and the Reich Security Main Office—both high state agencies; and it was directed, in writing, to all political leaders down to Ortsgruppenleiters, and to the lowest level of German society by word of mouth.[98]

The sweep of the crimes committed against the Jewish people is too great for the human mind to completely grasp. Our whole experience in living conditions our mental processes to make it so. We shudder at one bestial murder, we shrink from a few disgusting crimes, but when confronted with mass horror, we find ourselves groping for adequate reaction. We simply cannot comprehend six million murders. In the regular course of life it is good that this is so; but in weighing the evidence in this case it is something of a handicap for all parties except the guilty. Of some facts, however, we do have full knowledge and full understanding. They are all in evidence before this Tribunal. We know that these indicted organizations all share responsibility for the vast crimes committed against the Jewish people. We know that the evil geniuses of the Nazi plan understood how to nurture a nation for hatred. They began easily by having the Leadership Corps write into the Party platform that only a member of the race could be a citizen.[99] Thus they laid the groundwork for the basic premise upon which Jews were deprived of human rights in Germany. Then the same Leadership Corps began the work of directing a campaign of abuse against the whole Jewish people. Every man's failure, all worry, each disappointment, any fear was resolved in the crucible of Jewish responsibility. Throughout the Reich, Jew-baiting committees were established under the direction of various political leaders.[100] And led by Gauleiter Streicher, Party members engaged in open violence against Jews and their property by destroying the synagogue here in Nurnberg.[101] Then came the hideous occurrences on the night of November 10, 1938, under the incitement of Party propaganda leader Goebbels and with the open assistance of the Leadership Corps and the SA.[102] To add mockery to malefaction, the Nazis set up a supreme party court to investigate these outrages and although it found that instructions for carrying out these pogroms had been telephoned by the Gauleiters to their subordinate leaders, it ruled that in the killing of Jews without orders or contrary to orders: "at heart the men were convinced that they had done a service to their Fuehrer and to their Party." Under the guise of this judicial hypocrisy, none of the participants was so much as expelled from the Party.[103]

Throughout the years, as this hate movement progressed, all manner of discriminatory legislation was enacted to restrict the mobility of the Jew, to impoverish him, and to degrade him. Great numbers of these legislative monstrosities, all the creations of the Reich Cabinet, are in evidence in this record.[104] With quickened pace the Nazis moved to new cruelties and from a mixed-up policy which demanded the departure of the Jew and called for his detention in German concentration camps, they approached the depths of shame in a Reich Cabinet proposal for the sterilization of even half-Jews. In a cold setting of sadism and sin, the Reich Cabinet reviewed the manner in which half-Jews were to be treated and then recommendations of the Cabinet were submitted to Hitler for final action.[105] The SA men were among the first to apply direct force and brutality against the Jewish people in Germany. The witness Severing has told the Tribunal from the witness stand that during the years after 1921 the SA engaged in organized terror against the Jews.[106] These street ruffians, having nearly completed their orgies against ordinary political opponents, now found new uses for their clubs and whips and new outlets for their perverse propensities. Any Jew was fair game and it was open season the year round for Jew-hunting. They smashed into private homes and abused the terrified Jewish inhabitants without any pretense of cause or provocation.[107] And they interlaced their physical violence with their constant tirade of slanderous anti-Jewish propaganda.[108]

The oppression, persecution, discrimination and brutality at the hands of the Leadership Corps, the Reich Cabinet and the SA were only the beginnings of the dreadful fate that the Nazis prepared for the Jews. In this fashion, the way was paved for the sinister activities of the Gestapo when it came into play. Now these secret policemen moved in with their wraith-like methods. Trembling Jews were hauled from their beds in the middle of the night and dispatched without semblance of accusation to concentration camps,[109] and often their family members awoke to find them missing. Thousands of Jewish people so disappeared never to be seen or heard of again and all over Europe today surviving family remnants with aching hearts are seeking clues or indications of the fate that befell them. Sad to relate, the only answer to most of the searching is to be found in the records of this Tribunal, in the captured documents of the SS, the SD and the Gestapo, and in the death books of the gas chambers, the mass graves and the crematoria.

By this time the Nazis were astride much of Central Europe. Wallowing in their early bloody successes and puffed up with premature confidence in their ability to dominate the continent, they dropped all sham about the Jew in Germany and laid bare his ultimate doom. The Jew was to be wiped from the face of Europe—not by migration, not by mass movement, but by annihilation. It was Goering who ordered Heydrich as chief of the security police and SD to work out a "complete solution" of the Jewish problem in the areas occupied by the Reich.[110] And it was Heydrich, as chief of the Security Police and SD and acting upon Goering's order, who instructed the Gestapo to murder all Jews who could not be used for slave labor. Gestapo men, under the leadership of Eichmann, went into the occupied territories and, with the assistance of local officers of the Security Police and SD, succeeded in herding virtually all of the Jews of Europe into concentration camps and annihilation centers.[111] With unabated fury the Nazis plunged from Goering's "complete solution" to Himmler's "final solution." This was the last responsibility and who but Himmler as head of the SS could fulfill this unholy mission. In his foul hands and those of his SS was placed the assignment for the complete destruction of the Jew. He warmed to his task. His SS men, having been tested and proved in the Warsaw Ghetto[112] and in the clearing of the Jews from Galicia,[113] were ready for the refinements of the extermination plants. And with Hitler's order to Himmler, SS exterminator Hoess opened the largest murder mart in history.[114] Two thousand human beings at a time perished in his modern slaughterhouse. All over German-occupied Europe SS plants of the Hoess-Auschwitz design gassed living Jews with dispatch and destroyed their remains in ovens streamlined for mass operation. Thus the SS made it possible for Himmler to declare in his speech at Posen:[115]

> "Only the SS was equal to the task of exterminating the Jewish people. Others talked about it but had too many reservations * * * To have completed such a mission is an unwritten page of honor in the history of the SS."

At the close of the war in Europe, an incredulous world recoiled from the fact of this crime—a crime that can never be completely understood, completely explained, or properly requited. Slowly mankind moved to its sad and sober acceptance. But this was not the end, for the Nazis, through propaganda conduits, had piped their racial and religious poison into most of Europe and to a large part of the world. To restore the moral health of Central Europe is not enough, seepage from Nazi sewers of slander has polluted many of man's Pierian springs and the virus of hate and bigotry and intolerance has fouled the waters. It will take generations of mental and moral sanitation to stamp out this Nazi plague. Thus the crime lives after the criminals—these defendants and these organizations.

The transition from mistreatment of political opponents, of racial and religious groups to the abuse and the killing of prisoners of war in violation of the rules of warfare was not difficult for the members of the indicted organizations. These offenses were the result of the aggressive war aims for which the Reich Cabinet had a direct responsibility.[116] The history of mistreatment of honorable soldiers who had surrendered is too well-known to this Tribunal to require detailed discussion here. Yet it is worthwhile to recall to mind that Reichleiters Goebbels and Bormann, speaking for the Leadership Corps of the Nazi Party, were those who instituted the policy of lynching allied airmen by the German populace.[117] This savage policy was carried out by the Leadership Corps of the Nazi Party,[118] while, at the same time, military units of the SS wantonly executed prisoners of war on every battlefield.[119] To the Gestapo and the SD was given the first responsibility for carrying out the barbaric Hitler order of October 18, 1942, and its subsequent amendments calling for the summary execution of allied commandos and paratroopers.[120] Nor should it be forgotten that throughout the war the Gestapo screened prisoner-of-war camps for Jews and those of the Communist political faith who were then deliberately murdered.[121] It was the same Gestapo who sent recaptured officer prisoners of war to the notorious Mauthausen concentration camp for execution by SS guards under the Bullet decree.[122]

The Nazis always knew that the Christian church was an insurmountable obstacle to their evil intentions, but, with characteristic cunning, they first moved against it under the disguise of necessary emergency legislation, which was enacted by the Reich Cabinet and which laid the groundwork for the later enabling legislation placing all manner of restrictions on usual church activities. This was the first and the decisive step, and once it had been taken, the fate of the Christian church was sealed; only time and the turn of events remained for its fulfillment. In the entire Reich Cabinet of that time, made up almost exclusively of men who pretended to wear the badge of Christianity, only one (Baron Eltz von Rubenach) stood up for the faith.[123] So clear was the intention of the Cabinet decrees, that he had no hesitancy in asserting that Nazism and Christianity could never be reconciled. But for one Eltz von Rubenach, there were many who were willing to play the Nazi game. For a mass of political pottage, they denied their faith and handed to the political leadership its first weapon for use against the clergy. From these first steps, much of the hitherto unexplained moral decadence of the times undoubtedly stems. From these beginnings came the speedily declining influence of the Church. The Nazis wanted it that way. In their political philosophy there was no place for Caesar and for God. Schirach and Rosenberg as Reichleiters and members of the Leadership Corps, together with countless associates, hammered away at all spiritual forces—never by a frontal attack, but always from the flank, while the hounds of the Leadership Corps carried out systematic slandering of the clergy and constant undermining of sacred religious practices.[124] Soon the anti-clerical campaign was expanded to the confiscation of church properties, and in the later years broke out into open suppression of religious education and even of simple spiritual activities.[125] There can be no doubt as to the real attitude toward the Christian church for it clearly appears in the organized espionage system instituted against the clergy by the Gestapo and the SD. For this shabby task, members of these two organizations were carefully schooled in a deceitful course of conduct rigged to establish a record, as a later basis, for the complete abolition of the Christian church in Germany when the war was over. Lying, falsification, and entrapment were fundamental methods for the building up of this fabricated evidence.[126] The Gestapo, not content with breaking up church organizations and prohibiting church groups from social gatherings,[127] or with its task of preparing false testimony, made wholesale arrests of clergymen, placed them in protective custody, and finally lodged them in concentration camps.[128] From a program of such basic evil, it was not to be expected that the SS would remain aloof. Although heavily occupied with wrong-doing all over Europe, it found time to confiscate church properties and monasteries on its own responsibility,[129] and had Catholic priests by the hundreds cruelly murdered in the Dachau concentration camp.[130]

So some Christians and numberless Jews were united in a community of suffering. And thus in a strange arrangement of circumstances, the Nazis who tried to destroy both, may have founded the beginnings of an understanding that can grow best because it has survived the worst.

The concentration camp was the master weapon in the Nazi arsenal of tyranny. To the SA belongs the disgrace of having first established and maintained such camps to which it sent persons whom it had illegally arrested. Even SA meeting places were used for the confinement of potential opponents who were beaten and abused by SA men.[131] SA members served as guards of the state concentration camps during the first months of the Nazi regime, and there applied the technique of brutality which they had acquired in operating their own illegal camps.[132] Although the legal basis for protective custody was the extorted decree of the Reich President for the protection of the State in 1933 which suspended clauses of the Weimar constitution guaranteeing civil liberties to the German people, the Reich Cabinet soon obliged with ready legislation which made more expeditious the internment of political enemies and other undesirables under the concentration camp system. So interested in the establishment of these camps were members of the Reich Cabinet that Frick, Rosenberg, and Funk, while serving in that body, inspected the camps.[133] And the Reich Cabinet budget set aside 125 million Reichsmarks for the SS and for the management and maintenance of the concentration camps.[134] In order to achieve domination of the German people, the concentration camp system was placed at the disposal of the Leadership Corps, and it made use of these camps as a dumping ground for thousands of Jews who were apprehended under Leadership Corps auspices during the pogroms of November 1938.[135] As shown by the affidavit of the defense witness Karl Weiss, Gauleiters frequently put pressure upon the Gestapo to commit political enemies to concentration camps or to prevent their release in proper time.[136]

The cooperating military men had a direct interest in the concentration camp system; Soviet prisoners of war were sent to concentration camps to be employed in the armament industries of the Reich,[137] and officers of the OKW worked out with the Gestapo the plans for sending returned Soviet prisoners of war to the concentration camp Mauthausen where they were put to death for honorable attempts to escape from their captors.[138]

But the two organizations which were most directly concerned with and implicated in the concentration camp system were the

Gestapo and the SS. In the early days the concentration camps were under the political direction of the Gestapo which issued orders for punishment to be inflicted upon the inmates. The decree of 1936 declared that the Gestapo should administer the concentration camps,[139] but it was the SS which furnished guards from the Death's Head Battalions and ultimately became responsible for all internal administration of the camps. The Gestapo remained the sole authority in the Nazi State empowered to commit political prisoners to concentration camps, although the SD joined the Gestapo in committing Poles who did not qualify for Germanization.[140] The Gestapo sent thousands upon thousands of persons to concentration camps for slave labor and shipped millions of persons to annihilation centers for extermination.

The atrocities committed by the SS within the concentration camps are in themselves adequate to convict the SS as a criminal organization. The witness Hoess testified that toward the end of the war approximately 35,000 members of the Waffen SS were employed as guards in concentration camps.[141] In his never-to-be-forgotten confession in this courtroom he said that in Auschwitz alone during the time he was commandant the SS exterminated two and one half million men, women, and children by gassing and burning, and that another half million died from starvation and disease, and among those killed were 20,000 Soviet prisoners of war.[142] When the SS did not murder bedridden patients they drafted them for labor which they could perform in their beds.[143] It ordered women prisoners to be beaten by other prisoners,[144] and, in its unrestrained savagery killed, maimed, and tortured inmates of concentration camps by carrying out what were called medical experiments, but which were in fact sojourns in sadism.

The concentration camp system was the heart of the Nazi scheme for tyranny. Conditions in these camps were cruel, because the Nazis required the force of fear to perpetuate their hold over the common people. Behind every Nazi law and decree stood the spector of concentration camp confinement. The agencies which created, maintained, directed and utilized these camps were the organizations named in the Indictment.

In addition to the crimes of waging aggressive war, persecution of the Jews, forced labor, persecution of the churches, and concentration camps, which have been considered, the indicted organizations participated in many other crimes in aid of the conspiracy. The Leadership Corps was active in destroying the free trade union movement, and the SA took the initial direct action against the trade unionists. The art treasures of Europe were seized and despoiled by the Einsatzstab Rosenberg of the Leadership Corps in conjunction with the Gestapo and the SD. The SS carried out the vicious Germanization program under which citizens of occupied territories were driven from their homes and lands to make way for racial Germans. The Gestapo and officers of the OKW conceived and carried out the hellish "Night and Fog" decree, by which hapless civilians of occupied countries disappeared into the Reich never to be heard of again. Thus, in a crime of which only the Nazis were capable, the awful anguish of relative and friend was added to wanton murder.

In no respect can the criminal activities of these organizations be better illustrated than in the murderous work of the Einsatz Groups of the Security Police and the SD, which were first organized by the SD in September of 1938 in anticipation of the invasion of Czechoslovakia.[145] With their leaders drawn from the SD and the Gestapo and staffed by members of the Waffen SS, they coordinated slaughter and pillage with military maneuvers, and reports of their activities were forwarded to the political leaders through the Reich Defense Commissioners. Even the SA participated in these jackal anti-partisan expeditions in the East.[146]

When the German armies broke into Czechoslovakia and Poland, into Denmark and Norway, the Einsatz bandits followed for the purpose of striking down resistance, terrorizing the population, and exterminating racial groups. So well did these terror specialists do their work, that four new units were set up before the attack on the Soviet Union, one of them headed by the infamous Chief of the SD, Ohlendorf, who testified in this courtroom, to the incredible brutality of his accomplishments, and to the shocking details of the operation carried out in coordination with branches of the military. His testimony will be remembered for its cold account of callous murder, enslavement and plunder, and most of all for the horrible program of destroying men, women, and children of the Jewish race.[147] Mankind will not soon forget his sickening story of the mobile murder of women and little children in gas vans, nor of the evil-hardened killers whose stomachs turned at the awful sight when they unlatched the doors of the death cars at gravesides.[148] These were the men who sat at the edge of anti-tank ditches, cigarette in mouth, calmly shooting their naked victims in the back of the neck with their machine pistols.[149] These were the men who, according to their own corpse accountants, murdered some two million men, women and children.[150] These were the men of the SD.

It is a strange feature of this trial that counsel for the respective organizations have not sought to deny these crimes but only to shift responsibility for their commission. The military defendants blame the Political Leaders for initiating wars of aggression; the Gestapo blames the soldiers for the murder of escaped prisoners of war; the SA blames the Gestapo for concentration camp murders; the Gestapo blames the Leadership Corps for anti-Jewish pogroms; the SS blames the Cabinet for the concentration camp system; and the Cabinet blames the SS for exterminations in the East. The fact is that all of these organizations united in carrying out the criminal program of Nazi Germany. As they complemented each other it is unnecessary to define as a matter of precise proof the borders of their own deviltry. When the Reich Cabinet promulgated the decree for "Securing the unity of the Party and State," it insolubly bound these organizations for good and for bad. When the membership of these organizations swore an unconscionable oath of obedience to Hitler, they united themselves for all time with him, his work, and his guilt.

IV. The Criminal Aims and Methods of Each of the Organizations were Known or should have been Known to the Membership.

All members of the Reich Cabinet had full knowledge of the functions and activities of the Cabinet. They carried out their work together. They met as a body. They considered proposed measures as a group, and they acted as a Cabinet. Sometimes they met as the Reich Cabinet, sometimes they met as the Reich Defense Council. But in every case they jointly considered proposed legislation and enacted the laws which gave the rubber stamp of legality to the machinations on the top conspirators. From the budgetary matters of the Reich alone, if from no other source, the members of the Cabinet, each year of the Nazi regime, were of necessity informed to a very extensive degree on all matters that were going on in Germany. They knew about the concentration camp system because they voted the money for maintenance of concentration camps,[151] and because their ministers inspected concentration camps.[152] They knew about the plans for aggressive war because they laid the legislative groundwork for the war economy. They knew about the forced labor of prisoners of war in armament industries because they planned it even in advance of war. They prepared the political blueprints for the entire program of aggression and of aggrandizement. Planning requires consultation, and consultation imparts knowledge.

Any member of the SA who could read had full knowledge of the aims and objectives of the SA. The weekly periodical, the SA Mann, and the monthly periodical, the SA Leader, stated time and again the purposes, objectives, tasks and methods of the SA.[153] The duties and activities of the SA in fighting in the streets, abusing political opponents, and in chastising Jews are stated in every issue of these publications. The para-military nature of the organization was self-evident. The SA participated in election proceedings,[154] in the plan to set fire to the Reichstag,[155] in anti-Jewish pogroms and boycott activities.[156] Its activities were widespread and well-known and its criminality was open and notorious. Much of this infamy was commonly known throughout the world. It is stretching reason and experience too far to believe that SA members in Germany knew less than non-members abroad.

The Political Leaders dealt in information and in propaganda. They were the agents of the ideology and the political detectives who checked on the reactions of the people. Knowledge for them was a two-way circuit. They knew the plan and its operations and they learned of its effects. A typical example is found in the order to lynch Allied airmen. This order had to be passed throughout the Leadership Corps in order to reach the lower echelons who were to carry out the lynchings. They saw to it that the order was carried out and they made reports on its effectiveness. There were no secrets in any Nazi cell or block unknown to them. The turn of a radio dial—the facial expression of disapproval—the inviolate secrets between cleric and suppliant—the ancient trust between father and son—even the sacred confidences of marriage—were their stock in trade. Knowledge was their business.

Every member of the SS took an oath of obedience unto death to Hitler and every member of the SS was indoctrinated in the full meanings of Hitlerian ideology. In 1936, Himmler, in describing the SS as an anti-Bolshevistic Fighting Organization openly stated: "We shall take care that never again in Germany, the heart of Europe, will the Jewish-Bolshevistic revolution of sub-humans be able to be kindled either from within or through emissaries from without."[157] Can it be doubted that SS men understood the meaning of these words? Or of Himmler's confession: "I know that there are some people in Germany who become sick when they see these black coats. We understand the reason for this and do not expect that we shall be loved by too many."[158] The sickness which overcame people when they saw the black coats was the malady of fear—fear of the brutal methods of the SS, the murders they committed on the streets, and the beatings they inflicted in the concentration camps. It was known to everyone that black-coated SS men carried out the murders of June 30, 1934.[159] Von Mannstein testified that soldiers so feared the evil SS that they were afraid to report SS mass killings in the East.[160] The knowledge that is necessary to bind the SS organization is the knowledge that a member of the Death's Head Battalion had of atrocities committed in the concentration camp, that a member of the anti-partisan bands had of the killings, kidnappings, and plunder that went on behind the fighting lines, that a member of the SS Panzer Divisions had of the killings of prisoners of war, or that a member of the SS Medical Corps had of the savage experiments on human beings. This knowledge was diffused by frequent changes in their duties. The Death's Head Battalions which at first were charged with the guarding of concentration camp inmates subsequently were put into the fighting front; whereas during the war the fighting troops, the Waffen SS, were used for guarding concentration camps and for carrying out exterminations in annihilation centers. The letters SS came generally to be known as the symbol for an organization both sinister and savage.

The objectives of the Gestapo were laid down by law and discussed time and again in semiofficial publications such as the Voelkischer Beobachter, Das Archiv, the magazine of the German Police, and Best's basic handbook on the German Police. Every member knew that the Gestapo was the special police force set up by Goering and developed by Himmler to strike down potential opponents of the tyranny. Every member knew that the Gestapo operated outside the law, that the Gestapo could arrest on its own authority and imprison on its independent judgment. Every member knew that the Gestapo was the agency which filled the concentration camps with political opponents. All knew that the Gestapo was organized for the specific purpose of persecuting the victims of Nazi oppression—the Jews, the Communists, and the Churches. The right to use torture in interrogations had to be known to all who interrogated. There could be no secrecy as to the criminal aims of the Gestapo or the criminal methods by which this primary agency of terror carried out its work. And that it was an instrument of terror was known not merely to the membership—it was known throughout Germany and Europe, and in every country of the world, where the very name Gestapo became the watchword of terror and fear.

We ask that a common sense and realistic test of knowledge be applied by the Tribunal in judging these organizations for what they are, the most vicious and evil of all Nazi inventions. Surely they shall not escape condemnation for the vast crimes they committed through a false and flimsy defense of ignorance in their own circles. For long, long years after this hall is emptied and for centuries beyond present perspective, the roll call of terror against human kind will be led by these appellations—Nazi, Nazi Party Leadership, SA, SD, SS, and Gestapo.

V. There is in the Dock a Representative Member of Each Organization Guilty of Some Act on the Basis of Which the Organization May be Declared Criminal.

The Charter requirement that there be a member of each organization in the dock who is guilty of an offense relating to the organization of which he is a member was for the purpose of insuring that there would be present before the Tribunal someone who could speak for each organization. The great number of witnesses who have appeared before the Commission and the Tribunal on behalf of the organizations has, in effect, made superfluous this Charter protection to the organizations. Over 300,000 members of these organizations have been heard either in person or by affidavit.

The measure of criminality of each organization is not limited to the acts committed by the defendant in the dock who was a member of the organization. It is wholly sufficient to meet the Charter requirements if the defendant member is guilty of some crime relating to his position as a member of the organization. In every case the criminality of the named organizations is based upon evidence which greatly surpasses the specific criminal acts of the defendants. The concept of membership stated in the Indictment in this connection is in no sense a technical one. The word representative might as well have been used since the object of the provision was to insure that there would be some defendant qualified to speak for, or otherwise represent each of the named organizations.

Seventeen of the twenty-two individual defendants were members of the Reich Cabinet. All of these defendants participated to greater or lesser degree in the meetings of the Reich Cabinet, of the Secret Cabinet Counsel, and of the Reich Defense Council. All of them considered, acted upon, and participated in the enactment of the legislation which led to the instigation of wars of aggression and the commission of discriminatory acts against racial minorities. The criminality of each of these defendants is founded in part upon his participation in the supreme legislative body of the Nazi system, the Reich Cabinet.

Ten of the individual defendants were members of the Leadership Corps. The activities of Gauleiters von Schirach and Streicher are illustrative of the criminality of all of these defendants in their capacity as leaders of the Nazi Party. It was as Gauleiter of Franconia that Streicher carried out his venomous campaign against the Jews and it was as Gauleiter of Vienna that Schirach exploited slave labor.

Nine of the defendants were SS members. It is hardly necessary to go beyond SS Obergruppenfuehrer Kaltenbrunner as a representative of this organization. Here is a defendant who was the head of the most powerful department in the entire SS, the Reich Security Main Office. His activities in directing this organization need no amplification. His shame disgraces all.

Eight of the defendants were members of the SA, of which Goering assumed command in the year 1923 at the very inception of the Nazi struggle for power. It was Goering who directed the SA in the Munich Putsch and it was Goering who built and made of the SA a fighting body of street rowdies.

Goering and Kaltenbrunner were members of the Gestapo. Goering, the founder of the Gestapo, bragged that every Gestapo bullet fired was his bullet, and that he assumed full responsibility for the acts of the Gestapo and was not afraid to do so. As chief of the Reich Security Main Office, Kaltenbrunner had direct responsibility for the Gestapo. The Tribunal has seen orders for commitments to concentration camps carrying his typed or facsimile signature, it has reviewed evidence that executions in concentration camps were issued in his name, and it has examined many criminal orders from him as Chief of the Security Police and SD to regional Gestapo offices.

The integration of defendants and organizations is further demonstrated by the fact that most of the defendants were members of more than one of the named organizations. Frank, Frick, Goering, and Bormann were members of four.

Cabinet-members Ribbentrop and Neurath were SS generals. SA Generals Rosenberg and Schirach were Cabinet-members. Gauleiters Sauckel and Streicher were SA generals. Field Marshal Keitel and Admiral Doenitz were Cabinet-members. The complete significance of this integration is shown in the sinister murder of the French General Mesny. This murder was directed and planned by SS Obergruppenfuehrer Kaltenbrunner, as head of the Gestapo and SD, and by SS Obergruppenfuehrer Ribbentrop as a member of the Reich Cabinet. Kaltenbrunner worked out the mechanics of the murder and Ribbentrop worked out the plan of deception.[161] The whole macabre tragedy, from the faked removal of Mesny from the officers' prisoner-of-war camp at Koenigstein to the sacrilegious ceremony attending the burial of his ashes with military honors at Dresden, required the connivance and action of the Reich Cabinet, the military men, the SS, the SD, and the Gestapo. Throughout this particularly sad and sordid episode there is evident the outstanding fact of all Nazism—hypocrisy. This was white collar homicide, custom built for deceit, starched up with foreign office formality, bearing the cold sheen of Kaltenbrunner's SD and Gestapo, and supported and sustained by the outwardly respectable yoke of the professional army.

MR. PRESIDENT:

Counsel for the defendant organizations have each taken a large part of their time in arguing the legal principles which derive from the Charter, and, in many cases, seek to go behind the Charter itself. They have argued that the procedure envisioned by the Charter amounts to collective punishment, that the idea of fastening criminality on organizations is unique in law and that the maxim "nulla poena sine lege" is being violated by these proceedings. I shall not review the legal arguments on this subject since they were exhaustively covered by Justice Jackson in his address in February. But I do assert again that we are not here seeking a collective condemnation of individuals; we are seeking to establish one thing—and one thing only, that these organizations which taken together fastened the police state upon Germany and perpetrated these crimes, shall be characterized in history for what they were—organizations the aims, purposes, and actions of which were basically criminal and which openly violated all tenets of decency and law held in every civilized society. Defense Counsel argue that if you declare these organizations criminal, the members will become martyrs. I say that if you exonerate these organizations, the members who took vows of unconditional obedience to Hitler and to Himmler and who committed millions of people to concentration camps, mistreated and starved and murdered thousands more in the names of these organizations, will say: "We are vindicated. What Hitler and Himmler told us was the truth. These organizations to which we gave our unconditional obedience were not criminal organizations and we are not to be censured for having belonged to them." They will find in your acquittal of these organizations justification for these horrible crimes and the opportunity for reviving them in one form or another to inflict again upon the civilized world the terrible consequences of criminal group action.

Reference has been made in the argument to the Sedition Act of 1940. This Act was not cited, as was suggested, to establish an identity of legal situations between the Act and the Charter of this Tribunal. It was cited only to show that the concept of organizational criminality is not foreign to Anglo-American jurisprudence. Under the Sedition Act, each person indicted has the opportunity of resisting in court the charge of criminality of the organization to which he is accused of belonging. But that is not to say that, apart from constitutional questions which are inapplicable here, the Congress of the United States could not provide, as in this Charter, that the criminal character of the organization should first be litigated in a general proceeding in which all members are given a chance of appearing in person or by representation, reserving their personal defenses to subsequent trials in which they may contest all questions except the single question of whether the organization was criminal. What we seek here is not a criminal conviction of the members of these organizations. Their individual criminality is not an issue before this Tribunal. The only issue is whether the Tribunal shall or shall not declare these organizations to have been criminal.

The very anonymity which the Nazis intended to give to crime by the use of these organizations plagues us to the end of this trial. After these proceedings are concluded, this same organizational anonymity will plague the Allied powers in seeking to bring to book those who are responsible for these terrible offenses. It is a sobering fact that the vast majority of the crimes committed in the names of these organizations must go unpunished. But Nazism must not escape by this route which it rigged for itself; it must not survive in secret and undenounced organizational entities to prepare a new onslaught against civilization. By a declaration of criminality against these organizations, this Tribunal will put on notice—not only the people of Germany—but the people of the whole world. Mankind will know: that no crime will go unpunished because it was committed in the name of a political party or of a state; that no crime will be passed by because it is too big; that no criminals will avoid punishment because they are too many.

On February 28, 1946, in this courtroom, the Chief Prosecutor for the United States of America, Mr. Justice Robert H. Jackson made a statement before this Tribunal concerning the criminality of these organizations. That statement represents the attitude of the United States towards these organizations. I can do no better than to remind the Tribunal of it again:

> "In administering preventive justice with a view to forestalling repetition of these crimes against peace, crimes against humanity and war crimes, it would be a greater catastrophe to acquit these organizations than it would be to acquit the entire twenty-two individual defendants in the box. These defendants' power for harm is spent. That of these organizations goes on. If these organizations are exonerated here the German people will infer that they did no wrong and they will easily be regimented in reconstituted organizations under new names behind the same program.
>
> "In administering retributive justice it would be possible to exonerate these organizations only by concluding that no crimes have been committed by the Nazi regime. For these organizations' sponsorship of every Nazi purpose and their confederation to execute every measure to attain these ends is beyond denial. A failure to condemn these organizations under the terms of the Charter can only mean that such Nazi ends and means

cannot be considered criminal and that the Charter of the Tribunal declaring them so is a nullity."

NOTES

[1] Tr. pp. 5136-5167. [Transcript references are to the original mimeographed record prepared for trial purposes.]

[2] Doc. 1893–PS, USA 323, Tr. p. 1578.

[3] Doc. 2660–PS, USA 325, Tr. p. 1595.

[4] Doc. 2833–PS, USA 22, Tr. p. 1577.

[5] Doc. 2903–PS, USA 2, Tr. p. 254.

[6] Doc. 1893–PS, USA 323, Tr. p. 1593 et seq.

[7] Doc. 1893–PS, USA 323, Tr. p. 1578.

[8] Doc. 1893–PS, USA 323, Tr. p. 1597/8.

[9] Doc. 1893–PS, USA 323, Tr. p. 1602/3.

[10] Doc. 351–PS, USA 389, Tr. p. 1692.

[11] Doc. 2999–PS, USA 391, Tr. p. 1703.

[11a] Doc. 1701–PS, USA 392, Tr. p. 1704.

[12] Doc. 2852–PS, USA 395, Tr. p. 1706.

[13] Doc. 1141–PS, USA 393, Tr. p. 1705.

[14] Doc. 2031–PS, GB 217, Tr. p. 1698.

[15] Doc. 2031–PS, GB 217; Doc. 2018–PS, GB 250, Tr. p. 1698.

[16] Doc. 2852–PS, USA 395, Tr. p. 1706.

[17] Doc. 1141–PS, USA 393, Tr. p. 1705.

[18] Doc. 1725–PS, Tr. p. 1753.

[19] Doc. 3220–PS, USA 323, Tr. p. 1733

[20] Doc. 3220–PS, USA 323, Tr. p. 1767.

[21] Doc. 2354–PS, USA 430, Tr. p. 1735.

[22] Doc. 1725–PS, Tr. p. 1788.

[23] Doc. 2640–PS, USA 323, Tr. p. 1812.

[24] Doc. 2640–PS, USA 323, Tr. p. 1812.

[25] Doc. 1919–PS, USA 170, Tr. p. 1808.

[26] Doc. 2104–PS, Tr. p. 1890.

[27] Tr. pp. 1822, 1824, 1891/5.

[28] Doc. L–219, USA 479, Tr. p. 1896.

[29] Tr. pp. 2022/3.

[30] Tr. p. 2088.

[31] Doc. 4053–PS, USA 920, Tr. p. 14928; Doc. 4054–PS, USA 921, Tr. p. 15000.

[32] Doc. 1536–PS, USA 83, Tr. pp. 791; 2088/9.

[33] Doc. L–361, USA 478, Tr. p. 1895.

[34] Commission Tr. p. 598/9.

[35] Tr. pp. 15008/9.

[36] Doc. 4058–PS, USA 922, Tr. p. 15010.

[37] Doc. 1534–PS, USA 402, Tr. p. 1715.

[38] Doc. 2354–PS, USA 430, Tr. p. 1735.

[39] Doc. 2825–PS, USA 441, Tr. p. 1804.

[40] Doc. 2768–PS, USA 447, Tr. p. 1818.

[41] Doc. 1992–A–PS, USA 439, Tr. p. 1809.

[42] Doc. 1992–A–PS, USA 439, Tr. p. 1810.

[43] Doc. 2768–PS, USA 447, Tr. p. 1818.

[44] Gestapo Affidavit No. 30, Tr. p. 15856, 15860.

[45] Doc. 3033–PS, USA 488, Tr. p. 1907.

[46] Commission Tr. p. 1940.

[47] Commission Tr. p. 2114.

[48] Commission Tr. p. 2108.

[49] Commission Tr. p. 1587.

[50] Doc. 2775–PS, USA 330, Tr. p. 1612.

[51] Doc. 2715–PS, USA 331, Tr. p. 1618.

[52] Gestapo Affidavit No. 15, Tr. p. 15856/7.

[53] Doc. R–142, USA 481, Tr. p. 1905.

[54] Doc. 1708–PS, USA 255, USA 324, Tr. pp. 1606/7.

[55] Doc. 1893–PS, USA 323, Tr. p. 1608.

[56] Doc. EC–177, USA 390, Tr. pp. 290, 1699, and 1727.

[57] RGBl, 1933, Part I, p. 730, Tr. p. 1722.

[58] Doc. 1654–PS, RGBl, 1935, Part 1, pp. 369 to 375, Tr. pp. 454 and 1722.

[59] Doc. 2261–PS, USA 24, Tr. pp. 277, 292, 334, and 1727.

[60] Doc. 2031–PS, GB 217, Tr. p. 1698 (RGBl, 1938, Part I, p. 112).

[61] Doc. 3287–PS, USA 128, Tr. p. 1154.

[62] Doc. 2307–PS, GB 133, Tr. pp. 586 and 1720 (RGBl, Part I, p. 237).

[63] Doc. 2194–PS, USA 36, Tr. pp. 410, 1700 and 1727.

[64] Doc. 2986–PS, USA 409, Tr. pp. 1728/9.

[65] RGBl, 1939, Part I, p. 1641, Tr. p. 1721.

[66] RGBl, 1939, Part I, p. 559, Tr. p. 1721.

[67] Doc. 3787–PS, USA 782, Tr. pp. 12875/86.

[68] Tr. pp. 1766/70.

[69] Tr. pp. 1770/79.

[70] Doc. 812–PS, USA 61, Tr. p. 565; Doc. 2949–PS, USA 76, Tr. p. 575; Doc. L–292, USA 78, Tr. p. 586; Quotation from the "SA MANN" Tr. p. 1781.

[71] Doc. 3036–PS, USA 102, Tr. pp. 1781/2.

[72] Tr. pp. 1864/8.

[73] Doc. 388–PS, USA 26, Tr. p. 354; Doc. 2826–PS, USA 111, Tr. p. 900.

[74] Doc. 2164–PS, USA 255, Tr. p. 1868.

[75] Doc. 2788–PS, USA 95; Doc. 3059–PS, USA 96, Tr. pp. 785 and 790.

[76] Doc. 4053–PS, USA 920, Tr. p. 14928; Doc. 4054–PS, USA 921, Tr. p. 15000.

[77] Tr. pp. 1868/77.

[78] Doc. 2751, USA 482, Tr. p. 1907/8; Tr. p. 620.

[79] Tr. pp. 2129–2171.

[80] Doc. R–124, p. 36, USA 179, Tr. p. 1840; Tr. pp. 1839/44.

[81] Doc. 3012–PS, USA 190, Tr. p. 1304.

[82] USSR 522, Tr. p. 14956.

[83] Tr. p. 10583.

[84] Commission Tr. pp. 2353/4.

[85] Tr. p. 12085.

[86] Doc. D–288, USA 202, Tr. p. 1322.

[87] Doc. D–884, GB 539, Tr. p. 14739; Commission Tr. p. 2066.

[88] Doc. 3040–PS, USA 207, Tr. p. 1336.

[89] Doc. 1435–PS, USA 216, Tr. p. 1346.

[90] Doc. 017–PS, USA 180, Tr. p. 1287.

[91] Doc. 556–2–PS, USA 194, RF 55, Tr. p. 1339.

[92] Doc. EC–194, USA 214, RF 1445, Tr. p. 1343/4.

[93] Doc. 3005–PS, USA 213, RF 51, Tr. p. 1342; Doc. 1206–PS, USA 215, RF 50, Tr. pp. 1345/6.

[94] Doc. R–124, USA 179, Tr. p. 14467.

[95] Tr. p. 1841.

[96] Doc. 654–PS, USA 218, Tr. p. 1351.

[97] Tr. p. 1769.

[98] Doc. 205–PS, GB 538, Tr. p. 14738.

[99] Doc. 1708–PS, USA 255, Tr. p. 1435.

[100] Tr. pp. 14717/8.

[101] Doc. 1724–PS, USA 266; Doc. 2711–PS, USA 267, Tr. p. 1443.

[102] Doc. 1721–PS, USA 425, Tr. p. 1761.

[103] Doc. 3063–PS, USA 332, Tr. pp. 14713/6.

[104] Tr. pp. 1439/41.

[105] Doc. 4055–PS, USA 923, Tr. p. 15013.

[106] Tr. pp. 10084.

[107] Doc. 1759–PS, USA 420, Tr. pp. 1754/8.

[108] Tr. pp. 1763/4.

[109] Doc. 3058–PS, USA 508, Tr. p. 1954.

[110] Doc. 710–PS, USA 509, Tr. p. 1955.

[111] Testimony of Dieter Wisliceny, Tr. p. 2055–2078.

[112] Doc. 1061–PS, USA 275, Tr. p. 1449.

[113] Doc. L–18.

[114] Tr. p. 7787.

[115] Doc. 1919–PS, USA 170, Tr. p. 1864.

[116] Supra, p. 19.

[117] Doc. 1676–PS, USA 334, Tr. p. 1625; Doc. 057–PS, USA 329, RF 1420, Tr. p. 1627.

[118] Doc. L–154, USA 335, Tr. p. 1627/8.

[119] Doc. 2997–PS, USA 472, Tr. p. 1876/7.

[120] Tr. pp. 1944/5; 1991/2; 2706/10.

[121] Tr. pp. 1927/35.

[122] Tr. p. 1977.

[123] Doc. R–146, USA 678, Tr. p. 2772; Doc. 101–PS, USA 361, Tr. p. 1657.

[124] Doc. D–75, USA 348, Tr. pp. 1637/9 and 14731.

[125] Doc. R–146, USA 678, Tr. pp. 1637/9 and 1473; Doc. 101–PS, USA 361, Tr. p. 2772.

[126] Doc. 1815–PS, USA 510, Tr. p. 1946 et seq.

[127] Doc. R–145, USA 745 (Doc. Book H) Tr. p. 255.

[128] Doc. 1521–PS, USA 740 (Doc. Book H) Tr. p. 255.

[129] Doc. R–101 (a) (d), USA 358, Tr. p. 1652/4.

[130] Doc. 4043–PS, GB 606, Tr. p. 15376.

[131] Doc. 1759–PS, USA 420, Tr. pp. 1754 et seq.

[132] Doc. 2824–PS, USA 423; Doc. 787–PS, USA 421, Tr. pp. 1758 et seq.

[133] Tr. p. 2604.

[134] Doc. 3873–PS, GB 326, Tr. pp. 7436, 7440.

[135] Doc. 3051–PS, USA 240, Tr. pp. 1621/3 and 1649.

[136] Gestapo Affidavit No. 15, Tr. pp. 15856/7.

[137] R–124, USA 179, Tr. p. 1389.

[138] Doc. 1650–PS, USA 246 (RF 1449).

[139] Doc. 2109–PS, Preussische Gesetzsammlung, 1936, p. 22, Tr. p. 189.

[140] Doc. R–112, USA 309, Tr. p. 1528.

[141] Tr. p. 7804.

[142] Doc. 3868–PS, USA 819, Tr. p. 7811.

[143] Doc. 1933–PS, USA 459, Tr. p. 1844.

[144] Doc. 2189–PS, USA 460, Tr. p. 1845.

[145] USSR 509, Tr. p. 14960, p. 14943.

[146] R–135, USA 289, Tr. pp. 2201/2.

[147] Doc. L–180, USA 276, Tr. p. 1911; Doc. 2273–PS, USA 487, Tr. p. 1912; Doc. 1104–PS, USA 483, Tr. pp. 1914/5; Doc. 3012–PS, USA 190, Tr. p. 1917.

[148] Doc. 501–PS, USA 288, Tr. p. 1920.

[149] Doc. 2992–PS, USA 494, Tr. pp. 1922/27.

[150] Doc. 2738–PS, USA 296, Tr. p. 1502.

[151] Doc. 3873–PS, GB 326, Tr. p. 7436/40.

[152] Tr. pp. 2603/4.

[153] Doc. 3050–PS, USA 414–415–416–417–418, Tr. pp. 353/6.

[154] Doc. 2168–PS, USA 411 (Doc. Book Y) Tr. p. 1732.

[155] Tr. p. 8418.

[156] Tr. p. 10084.

[157] Doc. 1851–PS, USA 440, Tr. p. 1792.

[158] Doc. 1851–PS, USA 440, Tr. p. 1817.

[159] Doc. 2950–PS, USA 448, Tr. p. 1820.

[160] Tr. p. 15483.

[161] Doc. 4048–PS, USA 914; Doc. 4049–PS, USA 912; Doc. 4050–PS, USA 911; Doc. 4051–PS, USA 915; Doc. 4052–PS, USA 913; Tr. pp. 14855/9.

CLOSING STATEMENT FOR THE UNITED STATES OF AMERICA ON GENERAL STAFF AND HIGH COMMAND

by

BRIG GEN. TELFORD TAYLOR

Mr. President and Members of the Tribunal:

Under the Indictment, the prosecution asks a declaration of criminality against six groups or organizations. For purposes of clarity in specifying the charges and marshalling the evidence, this division into six parts is appropriate, since it accurately reflects the formal structure of the Third Reich.

In a deeper sense, however, the Third Reich was not sextuple. It was simpler than that. The Third Reich was a political machine and a military machine. It was embodied in and sought its ends through the Nazi Party and the Armed Forces. Its successes at home and abroad were achieved by these two instruments. The Wehrmacht owed its resurgence largely to the Nazi Party; the Party, in turn, would have been helpless and impotent without the Wehrmacht. As General Reinecke put it, the two pillars of the Third Reich are the Party and the Armed Forces, and each is thrown back on the success or downfall of the other.[1]

Appendix B of the Indictment specified the leaders and principal instrumentalities of the Party and the Armed Forces. From the Party, the Indictment specifies, for instance, the Corps of Political Leaders, and also the members of the SS, a principal executive arm of the Party. From the Armed Forces, the Indictment specifies the leading generals who had the principal authority for plans and operations.

I. The General Staff and High Command Group

The composition of this group of military leaders was described by the prosecution during the case-in-chief, and little more needs to be said by way of exposition. The defense has taken the view that these military leaders do not constitute a group within the meaning of the Indictment. The arguments in support of this technical objection are, I believe, insubstantial, but I want to meet them directly and clearly.

A number of the points made by the defense are based either on misunderstanding or a deliberate misreading of the definition of the group in the Indictment. Thus, several witnesses have testified that the "General Staff" consisted of young officers of relatively junior rank who acted as assistants to the commanders-in-chief. This involves a confusion with what is known to military people as the "General Staff Corps" of War Academy graduates. The Indictment does not include these officers, as the prosecution made clear at the outset.[2] In so far as this or similar testimony is an attack on the name which the Indictment applies to the military leadership group, it is an utterly insignificant point.[3] There is no stock phrase or word of art in German or English for all the military leaders of the Wehrmacht; the Indictment combines the phrases "General Staff" and "High Command" as most descriptive of the chiefs of the four staffs of OKW, OKH, OKM, and OKL, all of whom were key figures in military planning, and the commanders-in-chief who directed operations. Together, they adequately comprehend the military leadership.

Several other minor and technical points merit only brief mention. It has been objected that the chart, attached to the affidavits of Halder, Brauchitsch, and Blaskowitz,[4] does not accurately depict the chain of command. That is true; the chart was not intended to show the chain of command, the affidavits say nothing about it, and the prosecution has not suggested anything of the kind.[5] Finally irrelevant is the question whether Keitel might have been shown in the same box with Hitler instead of having a box to himself.[6] None of these points about the chart involves the addition or subtraction of a single member of the group,[7] or affects the Indictment's definition of the military leadership. Equally irrelevant is the contention that the list of members of the group[8] includes some generals who held only temporary appointments as commanders-in-chief and were never formally designated as such. This might later be relevant in a trial of these individual generals, if they can show that they never really had the status and responsibility of a commander-in-chief, but is not important in contemplating the group as a whole.

Several affidavits submitted by the defense point out that a few generals were members of the group for less than six months, that a number of them died or were removed or retired from their positions before the end of the war, and that the younger ones were not generals when the war started. This is all quite natural. We are concerned with a 7-year period, during most of which there was war, which is a hazardous and wearing occupation. During these years some generals died, others failed, and still others fell out of favor; new faces appeared as replacements; the great increase in the number of German Army Groups and Armies brought still other officers into the status of commander-in-chief. To the extent that in war the hazards were sharper and the failures more costly in the Wehrmacht than in politics, this turnover may have been correspondingly greater in the Wehrmacht than in the Nazi Party. But again, these questions are relevant only on the degree of responsibility of individual members of the group, and not on the responsibility of the group itself.

A special point has been made of the fact that many members of the group did not become such until after 1942. The argument drawn from this circumstance is, I take it, that the generals who joined the group only after 1942 could not have taken part in the planning and launching of aggressive wars.[9] It is true that by the end of 1942 the Wehrmacht, led by the accused group, had invaded or overrun all or a large part of every neighboring country except Switzerland and Sweden, so that further wars of aggression had become impractical. I suppose that it might be urged with equal, if any, force that many Germans joined or rose to high rank in the SS or the Party Leadership group after 1942. Certainly the argument ignores that the military leadership group, long after 1942, was a group whose official orders were to murder commandos and commissars and to achieve "pacification" by spreading terror. Many of the atrocities committed by the German Armed Forces occurred late in the war. Once again, this point has substance only in that individual late-comers to the group may show in other proceedings that they never learned of and did not join in the criminal activities. The group itself cannot escape responsibility by pleading that it continued to grow even after the Third Reich's capacity to initiate aggressive wars had been exhausted.

The defense tells us that the military leaders were not a "group" because they merely occupied official positions without any "unifying element." [10] This is a factual question. Its solution is not advanced by nice linguistic points, such as whether the German word "gruppe" means "group" or "number." [11] I suppose that "group" means a number of persons chosen because of some likeness.[12] Or as Mr. Justice Jackson put it,[13] the members must have an "identifiable relationship" and a "collective, general purpose." I suppose also that the "likeness" or "relationship" and the purpose must be meaningful under the London Agreement.

The generals who held the positions listed in the Indictment constituted the military leadership of the Third Reich. That is their "likeness," "identifiable relationship," or "unifying element." Their "collective general purpose" was to build up and train the Wehrmacht and to make its plans and direct its operations.

The evidence to this effect is, I submit, conclusive and uncontradicted. Leading German generals—Brauchitsch and Halder—have said in sworn statements [14] that those who held the positions listed in the Indictment had the "actual direction of the Armed Forces" and "were in effect the General Staff and High Command." [15] The technical objections made later by the defense with respect to the chart are quite irrelevant to this essential point.

The testimony of numerous generals, assuming its credibility, that the military leaders did not have any formal organization or any secret advisory council is quite wide of the mark. The prosecution has not charged this; nor has it charged that the military leaders were a political party or that they had a set or uniform view on internal political matters.

Nor are we surprised to hear from some defense witnesses that the Germans, like ourselves, found coordination within a single service easier to achieve than coordination between the Army, Navy, and Air Force.[16]

The mere existence of OKW is sufficient proof of the importance which the Germans attached to inter-service collaboration, and numerous documents show constant and detailed planning and discussion between the three services.[17] In any event, it is unnecessary to look behind the actual course of events. Surely no one would have suggested in 1941, after witnessing the coordinated use of tanks and Stukas in Africa and the team-play of all three services during the Norwegian invasion, that the German war effort lacked coordination.

From the standpoint of military planning, we are told by Halder that the most important part of OKW was the operations staff, of which Jodl and Warlimont were the chief and deputy chief respectively.[18] The field commanders, too, participated in planning. We know from Brauchitsch and Blaskowitz[19] that the military plans for the attacks on Poland and other countries were submitted in advance to the commanders-in-chief of army groups and armies so that OKH would have the benefit of their recommendations. Brauchitsch and Blaskowitz have also told us that, during operations, the OKH and the commanders-in-chief of army groups and armies were in continual consultation and that the commanders-in-chief were repeatedly consulted by Hitler himself.[20] The testimony of General Reinhardt is to the same effect.[21] Contemporary documents clearly show the participation of the field commanders-in-chief in planning for the Polish campaign.[22]

The commanders-in-chief of army groups and armies in occupied territory had executive power (Vollziehende Gewalt) within the areas under their command.[23] Within those areas, they were supreme, and had the power of life and death over the inhabitants. They had the responsibility for determining such questions as whether the commissar and commando orders should be distributed, and if so how widely and with what instructions.

To summarize, these generals were an aggregation of persons who directed the German Armed Forces and whose collective purpose was to prepare it for and lead it in military operations. From time to time, when all the members met together, it was a congregation.[24] The purpose and spirit of the London Agreement clearly brings such a body of men within the scope of Article 9 thereof. The Agreement established this Tribunal to try such offenses as the planning and waging of aggressive wars, and violations of the laws and customs of war. The German military leaders are charged, among other things, with developing the plans under which aggressive and illegal wars were initiated, and with directing the Armed Forces in the launching and waging of these wars. They are charged with circulating throughout the Wehrmacht orders directing the murder of certain types of prisoners, and with aiding, abetting, and joining in the murder and ill treatment of the civilian population, all in violation of the laws and customs of war.

The argument of the defense that the military leaders are not a "group" and are therefore immune to a declaration under Article 9 is, we submit, utterly unfounded and flatly contrary to the plain purposes of the London Agreement. That Agreement cannot be reasonably construed to exclude from the purview of Article 9 the leaders of one of the two chief instrumentalities of the Third Reich.

The defense appears to contend that membership in this group was not voluntary.[25] I say "appears to" because in one breath we are told that the generals could not withdraw from the positions they occupied,[26] and in the next that many of them resigned because of disagreements with Hitler.[27]

This question is, I think, a simple one. We are not concerned here with the ordinary German conscript who made up the bulk of the Wehrmacht. We are concerned entirely with professional soldiers, and with the most zealous, ambitious, and able German officers in the business. Most of them chose a military career because it was in their blood and, as Manstein put it,[28] they "considered the glory of war as something great." They slaved at and were devoted to their profession and if they reached the status of commander-in-chief, they were like Manstein, proud that an army had been entrusted to them. No one became a German commander-in-chief unless he wanted to.

It is true that, in time of war, a professional officer cannot resign his commission or his post at his own free will. But this does not turn the professional officer into a conscript or make his status an involuntary one. No one becomes a professional officer without knowing in advance the obligations that will bind him in time of war. The fanatical Nazis who rushed to volunteer for the early Waffen-SS divisions or who voluntarily joined other paramilitary sections of the Party could not thereafter resign at will,[29] but I have not heard it urged that they were conscripts or involuntary members. The members of the General Staff and High Command group were keen, professional warriors who competed with others like themselves for the responsibilities and honors of being commanders-in-chief. They rose within the Wehrmacht just as an ambitious Party member might rise to be a Kreisleiter or Gauleiter.

In fact, retirement was easier for the commander-in-chief than anyone else in the Wehrmacht. The junior officer who protested against what was going on around him might lose advancement, be moved to a less desirable assignment, or be court martialled and disgraced. He was not given the option of retiring and he was usually too young to plead illness plausibly. The commanders-in-chief were in a much better position. No War Office or War Department wants a field commander-in-chief who is in constant and fundamental disagreement with his instructions. Such a commander-in-chief must be removed. Yet often he has sufficient seniority, prestige, and acknowledged ability so that his demotion or disgrace would be embarrassing, and retirement or acceptance of resignation is the best solution for all concerned.

And this is just what happened with some of the commanders-in-chief. The record is replete with testimony by or about commanders-in-chief who openly disagreed with Hitler on tactical matters and who, as a result of such disagreements, were retired or allowed to resign. I note in passing that the record is notably barren of evidence that any commander-in-chief openly disagreed with Hitler so decisively on the issuance of orders which violated the laws of war or who forced his retirement on account of these orders. At all events, it is clear that a commander-in-chief who wanted to retire could contrive to do so, whether by pleading illness or by honest, blunt behavior. If he had the will, there was a way out. It is worth noting that the three Field Marshals who testified before this tribunal had all found or fallen into the way out, and the record shows that many others were equally successful[30] and that few, if any, of them thereafter suffered serious harm on this account.

II. Criminal Activities of the Group

I pass now to the criminal activities of the group. The prosecution submits that the evidence before the Tribunal conclusively establishes the participation of the General Staff and High Command group in accomplishing the criminal ends of the conspiracy, and in the commission of crimes under all parts of Article 6 of the Charter and under all counts of the Indictment.[31] We also submit that the criminal aims, methods, and activities of the group were of such a nature that the members may properly be charged with knowledge of them, and that, for the most part, they had actual knowledge.[32]

A. COUNTS ONE AND TWO OF THE INDICTMENT—CRIMES AGAINST PEACE

I will speak first of the pre-war period, or more accurately, of the period ending in the spring of 1939, when detailed planning for the attack on Poland got under way. It is worth noting that during this early period, the group defined in the Indictment never exceeded eight in number, and that four are defendants in this trial.[33]

I do not want to spend time retreading much-travelled roads. We know that during these years, the military leaders built up the Wehrmacht and made it into a formidable military machine, which struck terror into neighboring countries and later succeeded in overrunning most of them. There is not a shred of evidence to contradict the charge that members of the General Staff and High Command group directed the building and assembling of this machine. Some witnesses have testified that the rearmament was for defensive purposes only, but the Wehrmacht's new strength was promptly used to support Hitler's aggressive diplomatic policy. Austria and Czechoslovakia were conquered by the Wehrmacht, even though there was no war. The events of 1939 to 1942 and the terrible offensive power of the Wehrmacht are a further and sufficient answer, even without referring to Blomberg's official written statement in June 1937 that there was no need to fear an attack on Germany from any quarter.[34]

Witnesses for the defense have made much of the fact that the generals had little or no foreknowledge of the absorption of Austria. Many of these witnesses were not at the time members of the group, but the point is, in any event, unhelpful, since the Anschluss was not timed in advance by the Germans, but was precipitated by Schuschnigg's surprise order for a plebiscite.[35] That is why, as Manstein testified,[36] plans for the march into Austria had to be quickly improvised.[37] But the plans were drawn up by Manstein under the supervision of Beck (Chief of the General Staff of the Army and a member of the group),[38] and other members of the group were closely involved in the Anschluss,[39] as were other generals who later became members.[40]

As to the participation of the generals in the Munich crisis and occupation of the Sudetenland, the defense's main point seems to be that Brauchitsch, Beck, and other generals opposed risking a war at that time.[41] The record makes it quite clear that the generals' attitude was not based on any opposition to a diplomatic policy supported by military threats, or on any disagreement with the objective of smashing Czechoslovakia. Rather their attitude was that the Wehrmacht was not as yet (in 1938) strong enough to face a war with major powers. The defendant Jodl expressed it very clearly in his diary,[42] in drawing a contrast between "the Fuehrer's intuition that we must do it this year and the opinion of the Army that we cannot do it as yet, as most certainly the Western powers will interfere and we are not as yet equal to them."

The further contention of the defense that there were no military preparations for the occupation of Czechoslovakia and that the Commander-in-Chief of the Army gave no instructions in this regard,[43] is completely incredible when weighed against contemporary documents of unquestioned authenticity, which have long been in evidence before the Tribunal and which the defense cannot and did not attempt to explain away. The military directives and planning memoranda contained in the so-called "Fall Gruen" file [44] demolish any such contention, and fully reveal the extensive preparations being made by the Wehrmacht under the leadership of Keitel, Jodl, Brauchitsch, Halder, and others.[45] Jodl's diary gives us further details about such matters as coordination of the air and ground offensives, timing of the G-day order, collaboration with the Hungarian army, and order of battle.[46] It also shows the personal participation of other members of the group [47] and of other generals who later became members.[48] Military preparation for absorption of the remainder of Czechoslovakia is also adequately shown by documents in evidence before the Tribunal.[49]

One other point about this pre-war period should be noted. The military leaders not only participated in the plans; they were delighted with the results. They were afraid of getting into a war before they were adequately prepared, but they wanted a big army and they wanted the strategic and military advantages which Germany derived from Hitler's Austrian and Czechoslovakian successes. That is, in fact, why the Party leaders and the military leaders worked together; that is why the generals supported Hitler; that is why the Third Reich, through the Party and the Wehrmacht, was able to achieve what it achieved. Leading German generals have told the Tribunal this in so many words. Blomberg tells us that before 1938-1939 the German generals were not opposed to Hitler.[50] Blaskowitz says that all officers in the army welcomed rearmament and therefore had no reason to oppose Hitler.[51] Both of them tell us that Hitler produced the results all the generals desired.

The testimony of Blomberg and Blaskowitz is in no way weakened by the statements of various defense witnesses that many army officers disliked some of Hitler's internal policies and distrusted some of the Nazi politicians. It is too much to expect that all partners in crime should like and trust each other. That, in spite of these differences, the Third Reich came so close to imposing its dominion and evil theories on the world, merely emphasizes the deep agreement between the Party and the military leaders on the most essential objectives—national unity and armed might in order to accomplish territorial aggrandizement. This cannot be doubted, and for confirmation we need only look at the testimony of a witness called by the defense (Colonel General Reinhardt, who was chief of the Army Training Section before the war and later commanded a Panzer Army and an army group on the eastern front). When asked what was the attitude of the officers' corps toward Hitler, he replied: [52]

> "I do not believe there was a single officer who did not back up Hitler in his extraordinary successes. Hitler had led Germany out of its utmost misery, both politically and in its foreign politics, and economically."

So we turn to the war itself. The group of military leaders specified in the Indictment becomes much larger; we are no longer concerned only with the generals in Berlin, but also with the war lords who commanded the Wehrmacht in the field—names far more familiar to and feared by the peoples of the territories overrun by the Germans. Names such as Blaskowitz, von Bock, von Kluge, Kesselring, von Reichenau, Rundstedt, Sperrle, and von Weichs.[53]

What do the generals say in defense of the attack on Poland? Some of their statements, like Manstein's explanation that the Poles might "carelessly" attack Germany,[54] are merely laughable. About the best they can say is that they expected that Poland would give in without a struggle.[55] Were this a defense, its credibility is dubious. Hitler himself had made it clear to the military leaders that it was not a question of Danzig and the Corridor, but of living space and increasing the food supply under German exploitation.[56] The generals could have hardly expected the Poles to give themselves up entirely without a struggle, and Hitler had said that there would be war and no repetition of the Czech affair.[57]

But it is no defense that the generals hoped for a "Blumenkreig." The witnesses for the defense have agreed that German demands on Poland were to be enforced by military threats and armed might.[58] There is no evidence that the generals opposed this policy of sheer holdup. In fact, it is clear that they heartily endorsed it, since the Polish corridor was regarded by them as a "desecration" and the regaining from Poland of former German territory as a "point of honor."[59] And it has never been a defense that a robber is surprised by the resistance of his victim, and has to commit murder in order to get the money.

There is no controversy concerning the knowing participation of the members of the General Staff and High Command group in the planning and launching of the attack itself. Brauchitsch has described how the plans were evolved, and then passed to the field commanders-in-chief for their recommendations.[60] We know, both from his own testimony [61] and from contemporary documents,[62] that Blaskowitz, one of the field commanders-in-chief, received the plans for the attack in June and thereafter perfected them in consultation with the army group and OKH. Rundstedt's Chief of Staff received the plans,[63] and there can be no doubt that all the other commanders-in-chief did also. A week before the attack, all the members of the group met at the Obersalzberg for the final briefing.[64]

As the war spread to other countries and eventually over the entire continent of Europe, the Wehrmacht grew and many more army groups, armies, air fleets, and naval commands were created and the membership in the group was correspondingly enlarged. All three branches of the Wehrmacht participated in the invasion of Norway and Denmark, which was an excellent demonstration of "combined operations" involving the closest joint planning and coordination. The documents before the Tribunal show that this operation was a brain child of the German admirals; the proposal originated with Raeder and other naval members of the group and, after Hitler's approval had been obtained the plans were developed at OKW.[65] Numerous members of the group participated in its planning and execution.[66] The testimony of several army commanders that they had no foreknowledge of the attack [67] is not surprising, since the OKH and the army commanders-in-chief were all fully absorbed at the time in planning the much longer attack on the Low Countries and France. Only a few German divisions were used in Norway and Denmark and, since it was a "combined operation," the plans were developed in OKW, not OKH.

Dr. Laternser's defense of the Norwegian attack on the basis that it was a preventive move to forestall an English invasion of Norway, might have some superficial plausibility if there were any evidence that the Norwegian invasion was improvised to meet an emergency. But it is totally and wantonly incredible in the face of documents which show that the Norwegian invasion had been under discussion since October 1939, that active planning began in December, that on March 14 Hitler was still hesitant about giving the order for the attack because he was "still looking for some justification," and that all through the weeks preceding the Norwegian attack there was discussion within the General Staff group as to whether it might not be preferable to initiate the general western offensive against France and the Low Countries before undertaking the Norwegian campaign. (Transcript, pp. 2159–2164; *1809–PS, GB 88,* particularly the entry for March 13, 1940.)

As for the major attack in the west, it appears from the testimony of defense witnesses that Hitler wanted to attack in the fall of 1939 and that Brauchitsch and other generals persuaded him that it should be postponed until the spring of 1940.[68] This postponement indeed shows that the generals had considerable influence with Hitler, but hardly excuses the later attack. When the spring of 1940 arrived, according to Manstein,[69] "the offensive in the west, from the point of view of the soldier, was absolutely inevitable." There is no evidence that a single German commander protested against or opposed the flagrant and ruthless violation of the neutrality of the Low Countries.[70]

The explanations of the defense concerning the crimes against peace are labored and implausible, and are in conflict equally with the documents before the Tribunal and with the history of the years in question. Nor is it true that the military leaders were mere puppets without influence on Hitler or the course of events. Naturally there were disagreements not only between Hitler and the Wehrmacht, but within the Wehrmacht itself. If Hitler prevailed at times so at times did the Wehrmacht, whether it was to postpone the western offensive or to launch the attack on Denmark and Norway. Despite the attempt to make the contrary appear, Hitler was not so stupid as to act without the benefit of military advice. One need only look at Hitler's directive to the military leaders of 12 November 1940,[71] written after the successful conclusion of the western offensive, in which he discusses very tentatively his future plans in France, a possible offensive in Spain, whether Madeira and the Azores should be occupied, what assistance should be given the Italians in North Africa, what to do in Greece and the Balkans, what the future might hold with regard to the Soviet Union, and whether to invade England in the spring of 1941. Hitler concluded:

> "I shall expect the commanders-in-chief to express their opinions of the measure anticipated in this directive. I shall then give orders regarding the method of execution and synchronization of the individual actions."

No, the leaders of the Wehrmacht were not puppets. If the generals owed their opportunity to rebuild the Wehrmacht largely to Hitler and the Nazis, it is also true that Hitler was utterly dependent on the generals for carrying out his plans. Brauchitsch has pointed out [72] that "the carrying out of the orders that were given to the army and to the army groups required such a high knowledge of military matters and such ability and psychological understanding that there were only a few people who were actually able to carry out such orders." And it is worth noting that despite the very real and natural friction between the war lords and a former corporal, Hitler never, until July 1944, turned outside the ranks of the army for his commanders-in-chief.[73] Even during those final desperate months, only four outsiders (Himmler himself and three others from the Waffen-SS)[74] achieved the coveted distinction.

Nor was the Wehrmacht that swarmed over the continent of Europe led by reluctant men. These aggressive wars were launched and waged by men who worshipped armed might, and wanted to extend the hegemony of Germany. That is, at bottom, why the Nazis and the Wehrmacht leaders gave the Third Reich its unity. I recall the Tribunal's attention to Admiral Fricke's memorandum of June 1940: [75]

> "It is too well known to need further mention that Germany's present position in the narrows of the Heligoland Bight and in the Baltic—bordered as it is by a whole series of States and under their influence—is an impossible one for the future of Greater Germany.
>
> * * * * * *
>
> "(3). The power of Greater Germany in the strategic areas acquired in this war should result in the existing population of these areas feeling themselves politically, economically and militarily to be completely dependent on Germany. If the following results are achieved—that expansion is undertaken (on a scale I shall describe later) by means of the military measures for occupation taken during the war, that French powers of resistance (popular unity, mineral resources, industry, Armed Forces) are so broken that a revival must be considered out of the question, that the smaller States such as the Netherlands, Denmark and Norway are forced into a dependence on us which will enable us in any circumstances and at any time easily to occupy these countries again—then in practice the same, but psychologically much more, will be achieved.
>
> * * * * * *
>
> "The solution * * *, therefore, appears to be * * * to crush France, to occupy Belgium, part of North and East

France, to allow the Netherlands, Denmark and Norway to exist on the basis indicated above."

In the face of documents such as this one, we have nevertheless heard the generals say over and over again that they were never told about what was going on and heard about events for the first time over the radio. Over and over again they have protested that they never heard about certain things until they were lodged in the jail at Nurnberg. Military figures, like so many others in this case, have not hesitated to put the responsibility for things which they cannot deny or avoid on the shoulders of one or two people whom they seek to portray as peculiar and unrepresentative of the group. The common denominator of these scapegoats is that they are all dead. The dead Reichenau is made to share the blame with the other dead who cannot speak—Hitler, Himmler, Dr. Rascher and the rest. These defenses are mean and they are utterly incredible. The world will never believe them.

No group of men was more intimately concerned than were the military leaders with what was going on in and around Germany in the years before the war. The military leaders now tell us that they neither knew, nor cared to know, nor ought to have known about these things. If what they say is true, then they are unique, for nearly all the world had heard something about these things. One of the most remarkable things about this trial has been that instead of a series of startling revelations, the documents assembled here and the labor devoted to them have served to confirm what was already known or suspected throughout the world many years ago. I cannot suppose that anybody will ever subscribe to the view which the military leaders have been forced by circumstances to put forward here, in order to try to clear themselves from a stain which is too dark to be effaced.

B. Counts Three and Four of the Indictment—War Crimes and Crimes against Humanity

The crimes against peace in which the General Staff and High Command group participated led inevitably to the war crimes which followed. Without the participation of this group in the crimes against peace, there would have been no war crimes. It is not a change from one subject to another, but only the inevitable chain of causation, which leads us now to consider the methods by which the Wehrmacht waged the wars it had launched.

We do not, of course, suggest that the hands of every German soldier were plunged into innocent blood, or that the rules of war and the laws of decency were disregarded by every German commander. But we do say that the nature and extent of the atrocities ordered by the leaders of the Wehrmacht and thereafter perpetrated by it in many countries of Europe, reveal and prove a calculated indifference on the part of the military leaders to the commission of crimes.

The uncontested fact is that the Supreme Command of the Wehrmacht, under instructions from Hitler as its commander-in-chief, issued various orders which flagrantly contravened the rules of war. These included the orders for the shooting of commandos and political commissars, the orders to "pacify" the occupied territories of the Soviet Union by spreading terror, and others. The defense does not dispute the issuance of these orders, and it does not and cannot contest their criminality. Rather we are told that the German commanders were honorable soldiers, that they disapproved of these orders, that they tacitly agreed not to execute the orders, and that the orders were not executed.

Let us test this defense against the facts in the case of the commando order. The original order [76] and the other relevant documents are all in evidence.[77] In October 1942, Hitler ordered that enemy commandos were to be slaughtered to the last man; that even if they surrendered, they were nonetheless to be shot immdiately, unless interrogation were necessary, in which case they were to be shot thereafter. The order was not a purposeless piece of criminality; allied commando operations were doing serious damage to the German war effort, and Hitler thought this order would act as a deterrent.

The order was issued from the OKW and distributed to all three branches of the service. There is ample evidence that it was widely distributed and well known with the Wehrmacht. Rundstedt, Supreme Commander in the West, reported on June 23, 1944 that [78] "the treatment of enemy commando groups has so far been carried out" according to the Hitler order. Two years later, under different circumstances, Rundstedt testified that he "evaded" and "sabotaged" the order, and that it was not carried out.[79] But we know from the documents that it was carried out. Pursuant to this order, British and Norwegian commandos were executed in Norway in 1942 and 1943; [80] American commandos were shot in Italy in 1944; [81] allied soldiers were executed in Slovakia in 1945.[82] And, in the nature of things, the order must have been carried out in other instances of which, unhappily, no trace now remains.

In the light of these documents, what remains of the defense? Stated most favorably, merely that because some of the military leaders disapproved the order, it was not executed as often as it otherwise might have been. But this defense is worse than worthless; it is shameful.

We must not forget that to kill a defenseless prisoner-of-war is not only a violation of the rules of war. It is murder. And murder is none the less murder whether there is one victim, or 55 (which is the number of slaughtered commandos proved by the documents), or Ohlendorf's 90,000. Crime has been piled upon crime in this case until we are in danger of losing our sense of proportion. We have heard so much of mass extermination that we are likely to forget that simple murder is a capital offense.

The laws of all civilized nations require that a man go to some lengths to avoid associating himself with murder, whether as accomplice or accessory or co-conspirator. And these requirements can reasonably be applied to the German military leaders. Before this Tribunal they have made much of their traditions of honor, decency, courage, and chivalry.

Under German military law, a subordinate is liable to punishment for obeying the order of a superior, if the subordinate knows that the order requires the commission of a civil or a military crime.[83] The commando order required the commission of murder, and every German officer who handled the order knew that perfectly well.

When Hitler directed the issuance of this order, the leaders of the Wehrmacht knew that it required the commission of murder. The responsibility for handling this question lay squarely on the group defined in the Indictment. The chiefs at OKW, OKH, OKL, and OKM had to decide whether to refuse to issue a criminal order or whether to pass it on to the commanders-in-chief in the field. The commanders in the field—Army, Navy and Air—had to decide whether to execute or refuse to execute the order and whether to distribute it to their subordinates.[84]

One can imagine that there were many meetings and telephone conversations among various members of the group to discuss this matter. There is no evidence that a single member of the group openly protested or announced his refusal to execute it. The general result was that the order was distributed throughout a large part of the Wehrmacht. This put the subordinate commanders in the same position as their superiors. We are told that some of the generals tacitly agreed not to carry out the order. If so, it was a miserable and worthless compromise. By distributing the order with "secret" or "tacit" understandings, the commanders-in-chief merely spread the responsibility and deprived themselves of any effective control over the situation. A tacit agreement to disobey cannot be as widely circulated. The inevitable result, and the result proved by the documents, was that the order was carried out, and innocent men were murdered.

Because he was responsible for enforcing the commando order, General Dostler was tried, convicted, and shot to death.[85] For the same crime, General Falkenhorst now stands condemned to die. But the responsibility for these murders is shared by Falkenhorst and Dostler with every German commander-in-chief, at home or in the field, who allowed this order to become the official law of the Wehrmacht and participated in its distribution. On this charge alone, I submit, the General Staff and High Command group is proved to have participated directly, effectively, and knowingly in the commission of war crimes.

On the Eastern front, the callous indifference of the German war lords to violations of the laws of war and to mass suffering and death produced results equally criminal and, because on a grander scale, far more horrible. The atrocities committed by the Wehrmacht and other agencies of the Third Reich in the east were of such staggering enormity that they rather tax the power of comprehension. Why did all these things happen? Analysis will show, I believe, that it was not simply madness and bloodlust. On the contrary, there was both method and purpose. These atrocities occurred as the result of carefully calculated orders and directives, issued prior to or at the time of the attack on the Soviet Union, which form a coherent, logical pattern.

We need not here consider the reasons why Hitler, in the fall of 1940, began to consider seriously launching an attack against the Soviet Union. We do know that beginning in September of 1940, he was constantly discussing this possibility with the military leaders, who had ample opportunity to express their views to him. We know that there was a division of opinion among the generals and admirals; none of them appear to have been much governed by moral scruples, but some thought the attack unnecessary, and others were dubious that a quick victory could be achieved. However, still others agreed with Hitler that the attack should be launched.[86] When Hitler, in consultation and with the support of part of the military leadership, decided to make the attack, there is no indication that any leading generals stood out decisively against the decision,[87] and they embarked on the war with the utmost determination to carry it through to a successful conclusion.

Whatever may have been the reasons which prompted the attack, there was one factor which, once the decision had been made, became a vitally important object and purpose of the attack. That was to seize large areas of the Soviet Union, and to exploit these areas for the material benefit of Germany. To accomplish this, it was desired to "pacify" and crush all opposition in the occupied territory as rapidly as possible and with a minimum expenditure of manpower and materiel, to obliterate the Soviet political system and set up new, German-supported, regional political administration, and to revise and expand the productive resources of these territories and convert them to the use of the Third Reich.

Hitler had very definite ideas as to how this program for the exploitation of the occupied Eastern territories should be carried out, and these ideas were partially embodied in the series of directives and orders with which the Tribunal is now familiar. Some of these orders were to be executed directly by the Wehrmacht; some of them were to be executed by other agencies of the Reich, but in coordination with and supported by the Wehrmacht.

For the rapid and economical "pacification" of occupied territories, after Hitler had consulted Brauchitsch the OKW issued the order of 22 July 1941,[88] which ordered the commanders-in-chief to establish security, not by sentencing the guilty in courts of law, but by spreading "such terror as is likely, by its mere existence, to crush every will to resist amongst the population." For the same purpose, OKW issued the order of 13 May 1941,[89] which suspended the use of military courts for punishing offenses by enemy civilians, and directed that the troops themselves accomplish pacification by "ruthless action," "the most extreme methods," and "collective despotic measures" against localities. In furtherance of these abominable policies, it was further ordered that the German troops who committed offenses against Soviet civilians were not to be punished at all, unless punishment were necessary to maintain discipline and security or prevent waste of food or materiel. Every commissioned officer on the eastern front was to be instructed promptly and emphatically to behave in accordance with these principles. The language of the order was calculated to incite officers and men alike to the most despicable behavior.[90]

In these two orders we can see the basic composition of this revolting picture. In more detail, Hitler expected particularly bitter opposition to his new Russian regimes from officers and agents of the Soviet Government and from all Jews. These elements he decided to exterminate utterly, as they would otherwise remain a constant focal point of resistance within the occupied regions.

In furtherance of these policies of mass murder, the OKW issued the order for the killing of all political commissars who might be captured.[91] This, like the commando order, required the murder of defenseless prisoners-of-war. And in this case the military leaders behaved in precisely the same fashion. Not one commander-in-chief openly protested or announced his refusal to execute the order. A few commanders may have refused to distribute the order down to the troops,[92] but it was distributed and became well known over the entire eastern front.[93] As in the case of the commando order, we are told that by tacit agreement among the commanders, it was not carried out. The evidence in support of this is that particular commanders or other officers never personally knew of an instance where a captured commissar was shot. We may assume the truth of some of these statements, but it is nonetheless totally incredible, in view of the order's wide distribution, and the deliberate brutalizing of the German soldier by such orders as these and such directives as Reichenau and Manstein issued to their troops,[94] that the commissar order was not carried out in many cases. It must have been.

The campaign of mass extermination was extended from commissars to all Communists by the OKW order of 16 September 1941,[95] which directed that all cases of resistance to the Wehrmacht, no matter what the circumstances, should be attributed to Communists and that "the death penalty for 50-100 Communists should generally be regarded as suitable atonement for one German soldier's life."

Terrorization and exploitation of the Russian countryside and extermination of undesired elements could not, obviously, be carried out by the Wehrmacht alone. Many other agencies of the Third Reich had an important share in this far-flung, evil program. Among these other agencies, perhaps the most unspeakable were the special task forces of Himmler, known as Einsatzgruppen and Einsatzkommandos. The mission of these units was to assist in "pacification" and pave the way for the new political regime by stamping out opposition, and particularly by slaughtering Communists and Jews. We know, both from contemporary documents[96] and from the confession of the leader of one of these units[97] with what terrible fidelity that mission was performed.

The particular missions of the Einsatzgruppen were assigned by Himmler, but these units could not simply be turned loose in the operational and rear areas of conquered territory, without administration, supply, communication facilities, and sufficient control by the military to insure that their tasks would be coordinated with, and at least would not obstruct, military operations. The defense has made every effort to conceal this plain fact, but any soldier, and indeed anyone who gives the matter a moment's thought, must know that it is true.

And this is quite clear from the documents. The OKW Directive for Special Areas of 13 March 1941[98] provided that Himmler could send those units into operational areas in order to perform "special tasks for the preparation of the political administration, tasks which result from the struggle which has to be carried out between two opposing political systems." But it carefully specified that the execution of Himmler's tasks should not disturb military operations, and that the units were subject to the supreme authority of the commander-in-chief of the army in the operational area.[99] The billeting and feeding of Himmler's units was to be furnished by the army. It was directed that further details should be arranged between the OKH and Himmler. Brauchitsch has confirmed that subsequently the details were settled at a conference between Heydrich and General Wagner of OKH,[100] and Schellenberg, who drafted the agreement, has described its contents.[101]

These infamous gangs of murderers, in short, were fed and housed by the army and would have been helpless without the army's support. The testimony of some of the German generals that these killings of thousands upon thousands took place without their knowledge would make one smile, were not the truth so black and sickening. A military area, even far behind the front, is not a desert where one can wander to and fro unchallenged. It is a veritable maze of rear headquarters, trucking companies, ammunition dumps, supply depots, signal installations, hospitals, gasoline dumps, railway guards, prisoner-of-war stockades, antiaircraft batteries, airfields, engineers, ordnance units, motor pools—a thousand and one other troops that furnish the base of operations and the line of communications for an army in the field. The smooth functioning of this vast and complicated train is vital to the success of the combat troops. The enemy knows this, and is eager both to disrupt it and to extract intelligence from it through sabotage groups, agents, and partisans. Wherefore the occupying forces guard their installations, patrol the roads and railways, and garrison the centers of population. Travellers, no matter what uniform they wear, are stopped and questioned and asked for identification. These troops in the rear come in close contact with the civilian population, and know what is going on among them. Military police and counter-intelligence troops police the area and report on its condition to higher headquarters.

Furthermore, a commander in the field dislikes to have autonomous units under special orders from home at large in his area. This is particularly true when, as here, the units came as servants of Himmler, whom the German generals say they thought to be their enemy, intent on usurping their powers and functions. The idea that Himmler's extermination squads flitted through Russia, murdering Jews and Communists on a large scale, but secretly and unbeknownst to the army, is utterly preposterous—the desperate sparring of men who have no recourse but to say what is not true.

Let us look again at the pattern as a whole. Most of it was written down in plain German before the attack on Russia was launched. Terrorize the populace, let acts of violence and brutality on the part of German troops go unpunished, kill the commissars, kill 100 Communists whenever you can find an excuse, make way for and feed and house Himmler's squads performing "tasks which result from the struggle which has to be carried out between two opposing political systems."[102] And the political system for which the commanders-in-chief were fighting had already been exterminating Communists and Jews and boasting about it for years.

The German generals were bright enough to understand this pattern. In any event, it had been explained to them. The OKW directive suspending the courts martial ended with a directive to the military leaders to inform their legal advisors about the "verbal information in which the political intentions of the High Command were explained to the Commander-in-Chief."[103] The defendant Rosenberg, at the time of or before the invasion, advised Keitel, Jodl, Warlimont, Brauchitsch, and Raeder about his "political and historical conception of the eastern problem."[104] According to Brauchitsch, Hitler had explained the "ideological" nature of the war to all the commanders-in-chief in conference at the time the commissar order was issued.[105] The affidavits of Generals Roettiger, Rode, and Housinger further confirm the obvious conclusion that the whole pattern of "pacification" was well understood throughout the German military leadership.[106]

An army demoralized and brutalized by criminal orders and evil doctrines will behave in a brutal way in circumstances where they have no explicit orders. I have not, for instance, seen a written order that Soviet prisoners who could not march should be shot. I am prepared to believe that some German generals treated prisoners as well as they could, but I also find convincing the complaint of the young German lieutenant[107] that efforts to pacify and exploit the Ukraine were being frustrated because:

> "prisoners were shot when they could not march any more, right in the middle of villages and some of the bigger hamlets, and the corpses were left lying about, and the population saw in these facts what they did not understand and which confirmed the worst distortions of enemy propaganda."

For the same reasons, the anti-partisan warfare was carried out brutally, and with enormous loss of life among innocent civilians.[108] As the divisions of the German army were transferred between the eastern and western fronts, the practices on each front spread to the other. Slaughter at Kherson and Kovno was reflected in massacre at Malmedy and Oradour. The German army had been demoralized by its leaders. I recall to the Tribunal that a high German military judge, as early as 1939, granted "extenuating circumstances" to an SS officer who, without any reason, shot 50 Jews in a Polish synagogue because:[109]

> "as an SS man, particularly sensitive to the sight of Jews, and to the hostile attitude of Jewry to the Germans, he therefore acted quite thoughtlessly in a youthful spirit of adventure."

One must remember the observation before this Tribunal of SS Obergruppenfuehrer Bach-Zelewsky, who pointed out that:[110]

> "when for years, for decades, the doctrines are preached that the Slavic race is an inferior race and Jews not even human, then such an explosion is inevitable."

The defense of these charges is the same as in the case of the commando order. A mass of affidavits have been submitted by individual commanders-in-chief and subordinate officers in which they express their abhorrence of these orders and profess that they did not execute them. Again we hear of tacit understandings, even in the face of evidence as to the slaughter which the orders caused. It makes one gasp that such a defense can be put forward, apparently without shame.

Again I say that the responsibility lies squarely on the group specified in the Indictment. Keitel, Jodl, Brauchitsch, Goering, and their colleagues at the center of affairs circulated these malignant orders, the base criminality of which a child could see. Kleist, Kluge, Rundstedt, Reichenau, Schobert, Manstein and the other field commanders-in-chief distributed them to their subordinate officers. No secret agreements could forestall the terrible results which followed inevitably.

Is it really too much to ask that the commanders-in-chief should have refused to distribute these orders? As soldiers they were bound to obey their supreme commander, but their own law and code says that it is the duty of every soldier to refuse to obey orders that he knows to be criminal. This is hard for the ordinary soldier, acting under pistol-point orders from his lieutenant. It is far less difficult for the commander-in-chief. He is expected to be mature, educated, accustomed to responsibility and disciplined to be steady and unflinching when put to a test. Under their own law and under the traditions they are so shameless as still to vaunt, the leaders were in duty bound to reject the orders. Their failure caused suffering and death to hundreds of thousands; their failure resulted directly in countless murders and other brutal crimes; and they, far more than the soldiers whom these orders led into crime, are the real criminals.

Hitler needed the commanders-in-chief; he needed them desperately and would have been helpless without them.[111] They could have held securely and firmly to the standards which every soldier and, indeed every man, is expected to meet. And it was not, in most cases, fear of Hitler that caused them to betray these standards. They were ready enough to disagree with Hitler on other matters which they regarded as more important. They did not want to risk a breach with Hitler over what they callously regarded as a minor matter. They were intent on "larger" things—

the conquest of Europe—on which they and Hitler were in agreement.

Some of the military leaders, we cannot tell how many, were willing to go much farther and to stand sponsor for Nazi ideology. Reichenau[112] and Manstein[113] lent their names and prestige shamelessly in order to advance these vile doctrines. We cannot capture all the orders; we cannot tell how many German commanders-in-chief there are who, like Manstein, unctuously protesting their disapproval of Nazi doctrine, could be confronted with their own nauseating manifestos.[114]

We may assume, for the sake of argument, that many German commanders-in-chief disliked the pattern of orders and doctrines which the evidence here has unfolded. He who touches filth is not excused because he holds his nose. For reasons which appeared to them sufficient, the German military leaders helped to weave this pattern. It is just this calculated indifference to crime which makes their conduct so unspeakable. These individual commanders-in-chief, if any, who can show clean hands may come forth and clear themselves. But the military leaders as a group, I submit, are proved beyond doubt to have participated directly, effectively, and knowingly in numerous and wide-spread war crimes and crimes against humanity.

III. Conclusion

Under Articles 9 and 10 of the London Agreement for the trial of major war criminals, Keitel and Raeder and the other military defendants are on trial not only as individuals but as representatives of the German military leadership. The military defendants committed their crimes as military leaders and hand-in-hand with others. It is in their representative capacity that the military leaders in the dock are truly important.

The evidence against this group is so complete and compelling that their attempts at defense must be desperately and inconsistently contrived. When called to account as a group for their crimes, the famous German General Staff disintegrates, like a child's puzzle thrown on the floor, into 130 separate pieces. We are told that there was nothing there. Called upon to state their views on Hitler, aggressive war, or any other unpleasant subject, the pieces reassemble themselves into pattern instantly and magically. With true German discipline, the same words come from every mouth. When the question is the participation of the Wehrmacht in killing Jews, they indignantly deny that their soldiers would do such things.[115] When the question is the enforcement of law and discipline within the Wehrmacht, we are met by affidavits saying that German soldiers who killed Jews were court martialed and shot.[116] Charged with responsibility as a group, they plead immunity on the ground that they could not resign and that their status was therefore involuntary. Seeking to establish that they disapproved the policies of Hitler, they boast that many of their number who expressed their opposition were allowed or requested to resign. The inconsistency of their appeal to the soldier's oath of obedience is particularly shameless. Charged with launching aggressive wars against neighboring countries, they plead the oath in their defense. Accused of crimes committed during the war, they take credit to themselves for refusing to obey criminal orders. And so it is represented that the soldier who in time of peace was completely bound by his oath to give unquestioning obedience, regardless of consequences, to a perjured head of state, could nevertheless, when his country was at war and obedience supposedly far more necessary, dabble in secret disobedience and thereby shift the blame and responsibility for the murder of commandos and commissars onto other shoulders.

Let us look once more at these military leaders whose actions we have just examined. They are a group in more ways than one. They are more than a group; they are a class, almost a caste. They are a course of thought and a way of life. They have distinctive qualities of mind, which have been noted and commented upon by the rest of the world for many decades, and have their roots in centuries. They have been a historical force, and are still to be reckoned with. They are proud of it.

To escape the consequences of their actions, these men now deny all this. But in their very denial, the truth is apparent. Their group spirit and unity of outlook and purpose is so deep that it drops from their lips willy-nilly. Read their testimony; always they refer to themselves as "we" or "we old soldiers," and they are forever stating "our" attitude on this or that subject. Rundstedt's testimony is full of such expressions of the attitude of the German military leaders as a group on a great variety of questions.[117] Manstein told us that "we soldiers mistrusted all parties"; "we all considered ourselves the trustees of the unity of Germany"; and "The National Socialist aim of unification was according to our attitude, but not the National Socialist methods.[118]

What are the characteristics of the German military leaders? They have been familiar to students of history for a long time; books have been written by them and about them. They are manifest in the documents and testimony before the Tribunal.

They are careful observers of Germany's internal politics, but their traditional and policy is not to identify themselves with parties or internal political movements. This is the only true note in the refrain, sung so often at this trial, that "we were soldiers and not politicians." They regard themselves as above politics and politicians. They are concerned only with what they consider to be the deeper, unchanging interests of Germany as a nation. As Manstein put it:[119]

> "We soldiers mistrusted all parties because every party in Germany placed its own interests above the interest of Germany. We all considered ourselves the trustees of the Unity of Germany in this respect * * *."

The German military leaders are deeply interested in foreign politics and diplomacy. Any intelligent professional officer must be. Training is conducted, equipment is built, and plans are evolved in the light of what is known about the military potential and intentions of other countries. No officers in the world were more aware of this than the Germans; none studied the international scene as closely or with such cold calculation.[120] It was their mentor, Clausewitz, who described war as an instrument of politics.

The German military leaders want Germany to be free from political fluctuations, and a government which will mobilize German resources behind the Wehrmacht and inculcate in the German public the spirit and purposes of militarism. This is what Rundstedt meant when he said that: [121] "The National Socialist ideas which were good were usually ideas which were carried over from old Prussian times and we had known already without the National Socialists." This is what Manstein meant by the "unity" of Germany.[122]

The German military leaders believe in war. They regard it as part of a normal, well-rounded life. Manstein told us from the witness box[123] that they "naturally considered the glory of war as something great." The "considered opinion" of OKW in 1938 recited that:[124]

> "Despite all attempts to outlaw it, war is still a law of nature which may be challenged but not eliminated. It serves the survival of the race and state or the assurance of its historical future.
>
> "This high moral purpose gives war its total character and its ethical justification."

These characteristics of the German military leaders are deep and permanent. They have been bad for the world, and bad for Germany too. Their philosophy is so perverse that they regard a lost war, and a defeated and prostrate Germany, as a glorious opportunity to start again on the same terrible cycle. Their attitude of mind is nowhere better set forth than in a speech delivered by General Beck before the German War Academy in 1935.[125] The audience of young officers was told that "the hour of death of our old magnificent army" in 1919 "led to the new life of the young Reichswehr," and that the German Army returned from the first world war "crowned with the laurels of immortality." Later on they were told that if the military leaders have displayed intelligence and courage, then losing a war "is ennobled by the pride of a glorious fall." In conclusion, they are reminded that Germany is a "military-minded nation" and are exhorted to remember "the duty which they owe to the man who re-created and made strong again the German Wehrmacht."

In 1935, that man was Hitler. In previous years it was other men. The German militarist will join forces with any man or government that offers fair prospect of effective support for military exploits. Men who believe in war as a way of life learn nothing from the experience of losing one.

I have painted this picture of the German military leaders not because it is an unfamiliar one, but because it is so familar that it may be in danger of being overlooked. We must not become preoccupied with the niceties of a chart or details of military organization at the expense of far more important things which are matters of common knowledge. The whole world has long known about and suffered at the hands of the German military leadership. Its qualities and conduct are open and notorious. Is the world now to be told that there is no such group? Is it to hear that the German war-lords cannot be judged because they were a bunch of conscripts? We have had to deal seriously with such arguments only because there are no others.

That the case against the German militarists is clear does not make it the less important. We are at grips here with something big and evil and durable; something that was not born in 1933 or even 1921; something much older than anyone here; something far more important than any individual in the dock; something that is not yet dead and that cannot be killed by a rifle or a hangman's noose.

For nine months this court room has been a world of gas chambers, mountains of corpses, human-skin lampshades, shrunken skulls, freezing experiments, and bank vaults filled with gold teeth. It is vital to the conscience of the world that all the participants in these enormities shall be brought to justice. But these exhibits, gruesome as they are, do not lie at the heart of this case. Little will be accomplished by shaking the poisoned fruit from the tree. It is much harder to dig the tree up by the roots, but only this will, in the long run, do much good.

The tree which bore this fruit is German militarism. Militarism was as much the core of the Nazi party as of the Wehrmacht itself. Militarism is not the profession of arms. Militarism is embodied in the "military-minded nation" whose leaders preach and practice conquest by force of arms, and relish war as something desirable in itself. Militarism inevitably leads to cynical and wicked disregard of the rights of others and of the very elements of civilization. Militarism destroys the moral character of the nation that practices it and, because it can be overthrown only by its own weapons, undermines the character of nations that are forced to combat it.

The well-spring of German militarism through the years has been the group of professional military leaders who have become known to the world as the "German General Staff." That is why the exposure and discrediting of this group through the declaration of criminality is far more important than the fate of the uniformed individuals in the box, or of other members of this group as individuals. Keitel and Raeder and Rundstedt and Kesselring and Manstein have shot their bolt. They will not lead the legions of the Wehrmacht again.

What is really at stake now is not the lives of these particular men, but the future influence of the German General Staff within Germany, and, consequently, on the lives of people in all countries. That is why it was declared at Yalta:[126]

> "It is our inflexible purpose to destroy German militarism and Nazism and to insure that Germany will never again be able to disturb the peace of the world. We are determined to disarm and disband all German armed forces; break up for all time the German General Staff that has repeatedly contrived the resurgence of German militarism."

The first steps toward the revival of German militarism have been taken right here in this court room. The German General Staff has had plenty of time to think since the spring of 1945, and it well knows what is at stake here. The German militarists know that their future strength depends on reestablishing the faith of the German people in their military prowess and in disassociating themselves from the atrocities which they committed in the service of the Third Reich. Why did the Wehrmacht meet with defeat? Hitler interfered too much in military affairs, says Manstein.[127] What about the atrocities? The Wehrmacht committed none. Hitler's criminal orders were discarded and disregarded by the generals. Any atrocities which did occur were committed by other men such as Himmler and other agencies such as the SS. Could not the generals have taken any steps to prevent Germany's engulfment in war and eventual destruction? No; the generals were bound by their oath of obedience to the chief of state. Did not an SS general say that the Field Marshals could have prevented many of the excesses and atrocities?[128] The reaction is one of superiority and scorn: "I think it is impertinent for an SS man to make such statements about a Field Marshal," says Rundstedt.[129] The documents and testimony show that these are transparent fabrications. But here, in embryo, are the myths and legends which the German militarists will seek to propagate in the German mind. These lies must be stamped and labeled for what they are now while the proof is fresh.

This is as important within our own countries as it is here in Germany. Militarism has flourished far more widely and obstinately in Germany than elsewhere, but it is a plant which knows no national boundaries; it grows everywhere. It lifts its voice to say that war between East and West, or Left and Right, or White and Yellow is inevitable. It whispers that newly devised weapons are so terrible that they should be hurled now lest some other country use them first. It makes the whole world walk under the shadow of death.

German militarism, if it comes again, will not necessarily reappear under the aegis of Nazism. The German militarists will tie themselves to any man or party that offers expectation of a revival of German armed might.[130] They will calculate deliberately and coldly. They will not be deterred by fanatical ideologies or hideous practices; they will take crime in their stride to reach the goal of German power and terror. We have seen them do it before.

The truth is spread on the record before us, and all we have to do is state the truth plainly. The German militarists joined forces with Hitler and with him created the Third Reich; with him they deliberately made a world in which might was all that mattered; with him they plunged the world into war and spread terror and devastation over the continent of Europe. They dealt a blow at all mankind; a blow so savage and foul that the conscience of the world will reel for years to come. This was not war; it was crime. This was not soldiering; it was savagery. These things need to be said. We cannot here make history over again, but we can see that it is written true.

NOTES

[1] 4060–PS, USA 928, p. 4: "*Politics and the officer in the Third Reich.* Rise—result of the cooperation of the soldiery and politics and the results of political leadership with a definite aim * * * Two pillars: Party and the Armed Forces. They are forms of expression for the same philosophy of life * * * Tasks of the Party and the Armed Forces in indissoluble unity of common responsibility * * * Both sections thrown back onto the success or downfall of the other * * * ".

[2] Transcript, p. 2121. The distinction between the group defined in the Indictment and the "Grosse General Stab" of the first world war was also made plain at the outset. Transcript, p. 2106. [Transcript references are to the original mimeographed record prepared for trial purposes.]

[3] Transcript, p. 7180.

[4] 3702–PS, USA 531; 3703–PS, USA 532; 3706–PS, USA 537.

[5] It is, for instance, true that the chain of command ran directly from the Supreme Commander of the Army to the Commanders-in-Chief of Army groups and Armies, and not through the Chief of the General Staff of the Army. But the Chief of the General Staff of the Army was the central figure in developing plans and writing orders which were issued from OKH to the field Commanders-in-Chief.

[6] Under the decree of 4 February 1938, Keitel, as the representative of Hitler, exercised the functions theretofore exercised by the Reich War Minister. Transcript, pp. 2108–09.

[7] Except for the denial that the office of Deputy Chief of the Operations Staff of OKW (held first by Warlimont and later by Winter) should have been included. As to this, see the affidavit by Halder, 3707–PS, USA 533.

[8] USA 778. This list is not part of the Indictment, and is in no way necessary to the prosecution's case. It was compiled as carefully as possible from information then available but, as the covering affidavit stated, it probably contains errors and omissions.

[9] Transcript, pp. 5265–5266.

[10] Transcript, p. 5247.

[11] Transcript, p. 15410.

[12] This is precisely what General Halder intended as the meaning of "gruppe" in his affidavit. USA 531. Under cross-examination he stated that "group" meant "The number of generals who may be designated as the leading generals." Commission Transcript, p. 3682.

[13] Transcript, p. 5155.

[14] 3702–PS, USA 531; 3703–PS, USA 532.

[15] Under cross-examination Halder testified that, while the phrase "General Staff" in the German army technically means the assistants and adjutants (General Staff Corps), he nonetheless adopted the phrase in his affidavit as most descriptive (to non-Germans) of the "actual military leadership" of Germany, which had always been known outside Germany as the "General Staff." Commission Transcript, pp. 3683–84.

[16] Transcript, p. 15410.

[17] See, for instance, Jodl's diary for the period 1 February to 26 May 1940. 1809–PS, GB 88.

[18] 3707–PS, USA 533.

[19] 3705–PS, USA 535; 3706–PS, USA 537.

[20] 3705–PS, USA 535; 3706–PS, USA 537.

[21] Commission Transcript, p. 1700.

[22] C–142, USA 538; 2327–PS, USA 539.

[23] 447–PS, USA 135.

[24] 1780–PS, USA 72, entry for 10 August 1938; 798–PS, USA 29; 789–PS, USA 23; C–78, USA 139.

[25] The prosecution has stated its view that membership in a group or organization must be basically voluntary in order to support a declaration under Article 9. Transcript, p. 5155.

[26] Transcript, p. 5248.

[27] Transcript, p. 15458.

[28] Transcript, p. 15460.

[29] Commissioner's Report, p. 114. See also pp. 183, 189.

[30] Transcript, p. 15458. The record does not in all cases show the reasons for retirement or resignation, but the Field Marshals and Colonel Generals mentioned by Mannstein no doubt included the following: Bock, Brauchitsch, Leist, Kuechler, Leeb, List, Manstein, Rundstedt, Witzleben (Field Marshals), and Friessner, Halder, Hoeppner, Hoth, Jaennecke, Machensen, Ruoff, Strauss, Schmidt, Zeitzler (Colonel Generals).

[31] Transcript, p. 5155.

[32] Transcript, p. 5155–5166.

[33] The eight positions were the Commanders-in-Chief and Chiefs of Staff of the OKH, OKL, and OKM, the Chief of OKW, and the Chief of the Operations Staff of OKW. Four of these positions were filled throughout the prewar period by the defendants, Goering, Raeder, Keitel, and Jodl. The other four positions were held by six individuals; Brauchitsch, Beck, Halder, Schmiewind, Stumpff, and Jeschonnek, of whom two (Beck and Jeschonnek) are dead.

[34] EC 450, USA 629.

[35] Transcript, p. 2139; 1780–PS, USA 72, entry for 10 March 1938.

[36] Transcript, p. 15432–33.

[37] However, the testimony of Manstein (Transcript, pp. 15433–34) that previous plans for the invasion of Austria did not exist under the cover name "Otto" is in flat contradition of the documents. "Otto" was originally a plan for the invasion of Austria to prevent a restoration of the monarchy. C–175, USA 69. But the actual invasion in March 1936, was under the same cover name. C–182, USA 77; C–102, USA 74. And apparently the old draft plans were used, 1780–PS, USA 72, entry for 10 March 1938.

[38] Transcript, p. 15432. Brauchitsch was absent at the time. Transcript, p. 15387.

[39] Keitel, Goering, Jodl. Transcript, pp. 566–569 and 2138–39.

[40] Reichenau, Sperrle, von Schobert, and, of course, Manstein. Transcript, p. 2138; 1780–PS, USA 72, entry for 10 March 1938.

[41] Transcript, pp. 15387–89.

[42] 1780–PS, USA 72, entry for 30 May 1938. See also the entry for 10 August 1938, which makes it clear that the doubts expressed to Hitler by the military leaders as a group related primarily to "defects of our preparation" and inadequate western fortifications.

[43] Transcript, pp. 15387–89.

[44] 388–PS, USA 26.

[45] Transcript, pp. 743–804. See especially items 11, 15, 17, 18, 19, 26, 31, 33, and 54 of the "Fall Gruen" file. The Navy's role was secondary, but OKM was kept informed and laid its plans. See Item 11.

[46] 1780–PS, USA 72, entries for 6, 8, 10, 11, 15, 16, 17, 19, 20, 21, 22, 25–26, 27, 28, and 29 September.

[47] Goering and Stumpff.

[48] Jeschonnek and Stulpnagel.

[49] Transcript, pp. 808–810, 910, and 2144; C–136, USA 104; C–138, USA 105, 2802–PS, USA 117; 2798–PS, USA 118.

[50] 3704–PS, USA 536.

[51] 3706–PS, USA 537.

[52] Commission transcript, p. 1630.

[53] For the attack on Poland, there were two army groups (Bock and Rundstedt), five armies (Blaskowitz, Kluge, Kuechler, List, and Reichenau), and two air fleets (Kesselring and Loehr). The west was held by an army group (Leeb), an army (Dollmann) and two air fleets (Sperrle and Felmy). A naval group command west (Saalwachter) was also created. During the early part of the war, accordingly, the group consisted of about 22 members. 3739–PS, USA 778.

[54] Transcript, p. 15436.

[55] Transcript, pp. 15389–93; 15515–16; Commissioner's Report, p. 155.

[56] L–79, USA 27, p. 2.

[57] L–79, USA 27, p. 3.

[58] Transcript, pp. 15390, 15392, 15515; Commissioner's Report, p. 155.

[59] 3704–PS, USA 536; 3706–PS, USA 537; Commissioner's Report p. 155.

[60] 3705–PS, USA 535. See also C–120, GB 41.

[61] 3706–PS, USA 537.

[62] C–142, USA 538; 2327–PS, USA 539.

[63] Transcript, p. 15435.

[64] 798–PS, USA 29.

[65] Transcript, pp. 1060–1100, and 2159–2162.

[66] Members of the group included Keitel, Jodl, Raeder, Schniewind, Goering, and Jeschonnek, as well as the following who later became members: Doenitz, Warlimont, Carls, Fricke, Kranke, and Falkenhorst.

[67] Transcript, pp. 15397, 15437, 15516.

[68] Transcript, pp. 15394–97.

[69] Transcript, 15438. Jodl's diary indicates that during the first half of 1940, Hitler was practically living with the military leaders, and that consultation with the field commanders (Manstein, Reinhardt, Rommel, Kesselring, Student, Sperrle, Richthoffen, Falkenhorst and others) was frequent. 1809–PS, GB 88, especially the entries for 17 February, 5, 7 and 15 March, and 2 May 1940.

[70] Brauchitsch claims to have opposed the western offensive on the ground that a diplomatic settlement of the war was preferable. Transcript, pp. 15394–97; Commission transcript, p. 1353; Commissioner's report, p. 155. One can imagine what kind of a settlement this would have been. And there is no evidence that OKH ever drew up any plan for a western offensive which did not contemplate violation of the Low Countries' neutrality.

[71] 444–PS, GB 116. See also the Naval War Diary. C–170, USA 136, Transcript p. 1178. A perusal of this diary makes abundantly clear the preoccupation of the naval leaders with political questions, and great initiative in making recommendations to Hitler. See especially the entries for 9 March, 5 and 15 June, 20 August, 26 September, 14 November, and 20 and 27 December 1940, and 6 and 20 April, 22 and 30 May, 6 and 14 June, 1941.

[72] Commission transcript, p. 3250.

[73] Five generals from the Austrian army became commanders-in-chief (de Angelis, Boehme, Loehr, Rauss, Rendulic).

[74] Dietrich, Hausser, Himmler, and Steiner. USA 778. Hausser had been a regular army officer until 1932, and held the rank of general-major when he resigned. Both Steiner and Dietrich were also in the Reichswehr until 1933 though neither attained high rank.

[75] C–41, GB–96; Transcript, pp. 1097–1100.

[76] 498-PS, USA 501.

[77] Transcript, pp. 2173-2190.

[78] 531-PS, USA 550.

[79] Transcript, pp. 15517-18; Commissioner's Report, p. 171.

[80] 508-PS, USA 545; 512-PS, USA 546; 526-PS, USA 502.

[81] 2610-PS, USA 548.

[82] L-51, USA 521.

[83] Militaerstrafgesetzbuch, par. 47.

[84] An intermediate course, apparently adopted by Rommel in Africa was to suppress the order without further notice or protest to higher headquarters. Commission Transcript, pp. 1263-64. Rommel's Chief of Staff (Westphal) explained that "that kind of disobedience was only possible in another part of the world, so far away from main headquarters. I do not think this was possible in the East or in the West." Commission Transcript, p. 1264.

[85] 2610-PS, USA 548.

[86] For the views of various commanders-in-chief see C-66, GB 81; C-170, USA 136, especially the entries listed in footnote 71 above; Transcript, pp. 15400-01, 15437, 15516.

[87] The commanders and chiefs of staff of OKW, OKH, OKL, and OKM all (except Schniewind, who gave way to Fricke) continued in their positions without change. Most of the field commanders-in-chief who had participated in the Polish campaign and the western offensive also participated in the attack on the Soviet Union. USA 778.

[88] 459-PS, USA 926; Transcript, pp. 15464-66.

[89] C-50, USA 554; Transcript, pp. 2191-95.

[90] C-50, USA 554, p. 4:

"When judging such offenses, [against enemy civilians] it must be borne in mind, whatever the circumstances, that the collapse of Germany in 1918, the subsequent sufferings of the German people and the fight against National Socialism which cost the blood of innumerable supporters of the movement, were caused primarily by Bolshevik influence and that no German has forgotten this fact."

[91] Transcript, pp. 15405, 15438-40, 15516-17; Commissioner's Report, pp. 163-64.

[92] 3718-PS, USA 565.

[93] USA 565 shows that it reached divisional headquarters. The wide distribution of the order is also clear from the affidavits submitted by the defense, such as Nos. 324A, 324B (down to regiment), 324C (regiment), 333 (battalion), and 336.

[94] D-411, USA 556; UK 81; 4064-PS, USA 927.

[95] C-148, USA 555.

[96] L-180, USA 276; R-102, USA 470.

[97] Ohlendorf, Transcript, pp. 2001-55.

[98] 447-PS, USA 135; Transcript, pp. 15468-84.

[99] Under this directive, the rear areas were under a military commander who was directly responsible to OKW and whose orders superseded all others. See paragraph 3 of 447-PS, USA 135.

[100] Transcript, pp. 15402-04.

[101] 3710-PS, USA 557; Transcript, pp. 2080-95.

[102] 447–PS, USA 135.

[103] C–50, USA 554. Note also that the commanders-in-chief were directed to confirm only those court sentences "which are in accordance with the political intentions of the High Command".

[104] 1039–PS, USA 146.

[105] Transcript, p. 15405. It is difficult to credit the testimony of Rundstedt that Hitler explained the commissar order to the commanders-in-chief (Transcript, pp. 15516–17; Commissioner's Report, p. 164), but that the Jewish extermination policy was unknown to them because "Hitler would never have expressed such intentions to officers", Transcript, p. 15517. Certainly Hitler's Jewish policies were by that time no secret to anyone.

[106] 3714–PS, USA 560; 3716–PS, USA 563; 3717–PS, USA 564.

[107] USSR 218; Defense Document Book, p. 136.

[108] R–135, USA 289; Transcript, p. 2225.

[109] D–421, GB–567. The pencil notes show that this episode was reported to Halder, Chief of the General Staff of the Army, and presumably to von Kuechler, Commander-in-Chief of the Third Army in Poland.

[110] Transcript, p. 2241.

[111] Brauchitsch made this quite clear in his testimony before the Commission. Commission Transcript, p. 3250.

[112] D–411, USA 556; UK 81.

"The soldier in the eastern territories is not merely a fighter according to the rules of the art of war but also a bearer of ruthless national ideology and the avenger of bestialities which have been inflicted upon German and racially related nations.

"Therefore the soldier must have full understanding for the necessity of a severe but just revenge on sub-human Jewry. The Army has to aim at another purpose i.e. the annihilation of revolts in the hinterland which, as experience proves, have always been caused by Jews."

[113] 4064–PS, USA 927.

"Since 22.6 the German people is engaged in a life and death struggle against the Bolshevist system.

"This struggle is not being carried on against the Soviet Armed Forces alone in the established form laid down by European rules of warfare.

* * * * * * *

"Jewry constitutes the middle man between the enemy in the rear and the still fighting remainder of the Red Armed Forces and the Red leadership. More strongly than in Europe, it holds all the key positions in the political leadership and administration, controls trades and guilds and further forms the nucleus for all unrest and possible uprisings.

"The Jewish-Bolshevist system must be exterminated once and for all. Never again must it encroach upon our European living space.

"The soldier must appreciate the necessity for harsh punishment of Jewry, the spiritual bearer of the Bolshevist terror. This is also necessary in order to nip in the bud all uprisings which are mostly attributable to Jews."

[114] Transcript, pp. 15475–84.

[115] Transcript, p. 15453.

[116] For instance, defense affidavits, Nos. 501 and 1630.

[117] Transcript, pp. 15512, 15515, 15516–17, 15523; Commission Transcript,

pp. 1334, 1336, 1337, 1338, 1343, 1346, 1348, 1351, 1354, 1366, 1374, 1377, 1490, 1517, 1528, and 1534.

[118] Commission Transcript, p. 3632.

[119] Commission Transcript, p. 3632.

[120] For abundant proof one need only read Jodl's diary and the Naval War Diary. 1780–PS, USA 72; 1809–PS, GB 88; C–170, USA 136. See footnote 71, above.

[121] Commission Transcript, p. 1336.

[122] Commission Transcript, p. 3632.

[123] Transcript, p. 15460.

[124] L–211, GB 161.

[125] Defense Document Book, pp. 1–11. The occasion was the 125th anniversary of the founding of the Academy. General Beck later became Chief of the General Staff of the Army, and is pointed to by Brauchitsch and others as a man who opposed Hitler's warlike intentions in 1938. Transcript, pp. 15387–89.

[126] Extract from the text of the report of the conference in the Crimea made public at the White House February 12, 1945. See also the following quotation from the report on the Tri-Partite Conference in Berlin, held from July 17 to August 2, 1945:

"All German land, naval and air forces, the S.S., S.A., S.D., and Gestapo, with all their organizations, staffs and institutions, including the general staff, the officers' corps, reserve corps, military schools, war veterans' organizations and all other military and quasi-military organizations, together with all clubs and associations which serve to keep alive the military tradition in Germany, shall be completely and finally abolished in such manner as permanently to prevent the revival or reorganization of German militarism and Nazism."

[127] Commission Transcript, pp. 2672–73:

"He (Hitler) lost the war in the long run, because he had tried to take it up with the whole world, but he would never have lost it the way he did if he had let the generals run it themselves.

* * * * * * *

"I had not wanted his (Hitler's) removal at all. I only wanted to be certain that Hitler would secure for himself a sensible chief of the General Staff and that he would have one who would be listened to over his own commands as Fuehrer, but this was no longer possible."

[128] 3716–PS, USA 563.

[129] Commission Transcript, p. 1366.

[130] Compare Walter Lippmann, *Behind the Curtains*, May 30, 1946:

"The Allies have disarmed the old German Army. They have dislocated and destroyed the old German war plant. They have demobilized the old German Army. But if they have not deprived the military caste of the hope and expectation of a military career, they have not demilitarized Germany."

744400—47—23

Copies to:
(1) Dr. Lammers
(2) Gauleiter

2 April 1943

The Reich Minister for Occupied Eastern Territory
—Nr. 847/43 g R/H—

Personal

To the Reichsfuehrer of the SS and Chief of the German Police
HIMMLER
Berlin SW11
Prince-Albrecht Street 8

Dear Party Comrade Himmler!

By and large you have been informed by SS Gruppenfuehrer [U. S. Army equivalent, Major-General] Berger about my conflict with Reich Commissar for Ukraine Koch. Once in Posen I told you my opinion of his so-called policy. I am transmitting to you attachments on the Zuman case about which you have perhaps already heard. Likewise, I am adding the detailed account of this affair from my head Forestry and Wood Section. I request you by return post to give an official pronouncement in this case and what thereby is a concern of higher SS and Police leaders in the case of the Reich Commissar for the Ukraine.

Heil Hitler!
[Signed] A. Rosenberg

Attachments

Berlin, 2 April 1943
R/H

Copy to Dr. Lammers

In re: Reich Commissar Koch and the Zuman wooded area.

How little the Reich Commissar of the Ukraine Koch felt himself conscientiously bound to his mission was demonstrated at the beginning of his activity in office. From the time of his installation in September 1941 until the beginning or the middle of February 1942, he visited the Reich Commissariat only a few times. These visits lasted only a very short time whereupon he would go out to hunt. During this whole time the General Commissar, the District Commissar and the Agricultural leader were obliged to perform their duties uninterruptedly in hard winter and under the most difficult circumstances. Soon there were rumors, that the Reich Commissar of the Ukraine wished to appropriate the former Polish Zuman hunting land as his personal hunting reserve. On the occasion of a visit in Berlin the conversation also turned to the matter. Then the Reich Commissar of the Ukraine declared that he had made hunting preparations for the future on the expressed wish of the Minister. Upon my declaration that I had not given a thought to this, he explained that he had received a letter from Regional Leader [Gauleiter] Meyer. Now, Regional Leader Meyer had informed the Reich Commissar of the Ukraine with respect to future visits from the Reich that he might foresee such a possibility for the guests in case they were hunters. In no way had any instruction for extraordinary preparations been given by this. After that the Reich Commissar of the Ukraine got from me the unequivocal instruction that he was not to undertake anything in this respect. Later upon repeated questioning he named every one a defamer who attributed to him the intentions of having a great hunt in Zuman. Nonetheless later there came again the news, this time under the title of a forest-land, that some 70,000 hectares of the Zuman area had been condemned for the Reich Commissar of the Ukraine and it was intended to root up or burn down the villages standing in the area.

Now, I receive the following information from an old Party Comrade who has worked for nine months in Volhnia and Podolia for the purpose of preparing for the taking over of a District Commissariat or of a chief section in General District Volhnia and Podolia. This information goes as follows:

On the order of the highest position it was directed that the whole Rayon Zuman be evacuated. Germans and Ukrainians both stated that this was happening because the Reich Commissar wished to have the whole wooded area Zuman for his beloved hunting. In December 1942 (when the cold was already severe) the evacuation was begun. Hundreds of families were forced to pack all their possessions over night and were then evacuated a distance of over 60 km. *Hundreds of men in Zuman and the vicinity were mowed down by the gunfire ["abgeknallt"] of an entire Police Company, "because they were Communist party members."* No Ukrainian believed this, and likewise, the Germans were perplexed by this argument, because if the security of the area were at stake it would have been necessary to execute communistically inclined elements in other Rayons. *On the contrary, it was generally maintained that these men were ruthlessly shot down without judgment because so extensive an evacuation in so short a time was out of the question and furthermore, there was not enough space available at the new place for settling the* *evacuees.* The Rayon Zuman is today depopulated on a wide area. The greater portion of the peasants have been removed from the region. *Now it suddenly appears that in order to take timber out of this very richly wooded Rayon peasants must be forced to come from a distance of 30 and 40 km., which for the time being is the case in being obliged to carry on the export of wood in the limitless Eldorado ("Banden-Eldorado") developed out of the Zuman wood area.*

I maintain that it is necessary in this case, which has become known to me unofficially and which has created the greatest irritation in whole of Volhnia and Podolia, to probe it thoroughly with the responsible police and to let the competent higher SS and Police directors, SS-Obergruppenfuehrer [U. S. Army equivalent, Lt. General] Prutzmann hear about the matter officially.

[Signed] A. Rosenberg.

Berlin, 30,3,43

Attention of
(1) Dr. Lammers
Chief Group Forestry and Wood

Impairment of the Forestry Resources in the Reich Commissariat Ukraine

Zuman Wood District

It has been again forcefully stated by the Chief Group for Forestry and Wood Economy that the exclusive mission of the forestry offices [Dienststellen] in the occupied Eastern regions is the satisfaction of the enormous needs of the troops and the war economy in wood and other forestry products and that the corresponding hunting demands have been altogether withdrawn. The action of the Reich Commissar of the Ukraine in the last year in taking some 70,000 hectares of lumber producing area in Zuman clearly for hunting purposes (or as the basic decree of the Reich Commissar of the Ukraine terms it for "Representation purposes") in no way corresponds to this conception. Although the need of the war economy for resin is extraordinary large, at great expense of labor the Reich Commissar of the Ukraine ordered the last summer suspension of the introduction of resin tappers in the trees. At least 300,000 resin taps have been rendered useless by that and instead of the great quantity normally to be expected from the extended forests of the heavily wooded areas of Zuman, practically no resin was obtained. The fall in production was a heavy loss, as the Zuman woods area has a relatively favorable position with respect to communication so that the procurement and export of resin was absolutely assured.

For the district of the Zuman large lumber producing area it was in addition forbidden to procure the pine-tree stumps except from entirely flat surfaces. But although the pine-tree stumps must remain there at least seven years after the depletion of the resin richness, now pine-tree stumps are found scarcely on the entirely flat surfaces.

So with the order that pine-tree stumps may be procured only on the entirely flat surfaces, the procurement of pine-tree stumps is for all practical purposes forbidden. But with that the tar-extraction industry has been brought to a standstill with the result that the manufacture of its products such as turpentine, wood tar and especially the indispensable charcoal for smelting are also ruined. *Thus three of the four tar ovens of the Zuman forest district are already shut down.*

Doubtless (and especially from the hunter's point of view) the result is the evacuation of more and more towns situated in the Zuman forest district. The evacuation has had this result—that teams of horses and workers lack for bringing in wood and transport. To this is related the fact that the evacuation of the deportees demanded a large number of horse-teams, which were thus lost for the transportation of wood. As a consequence of these proceedings the great Klewan saw-mill is without logs and has been closed down.

The decrees which restrain the utilization of the forests in the Zuman lumber area are still in force. If the lumber producing area in the east should not be used for the purposes of hunting in accordance with the will of the Minister (and indeed their use for this purpose is expressly forbidden by the decree of 2.3.43), then the quality of the lumber production for the Zuman forest area has been raised. The former forest land has been effectively eliminated as a special forest inspection district which as such was the only one directly subordinated to the Reich Commissar. Even the accounting section has been subordinated to the Reich Commissar of the Ukraine as opposed to all other usages. All these decrees restraining the utilization of the forest lands have remained in force until now.

[Signed] Lerp
Forestry Dept. Chief Council [Oberferstrat]

Berlin, March 16, 1942
R/H

File Memorandum for the Fuehrer

I am prompted by several partly contradictory requests of the Supreme Command of the Armed Forces [OKW], to quote opinions expressed by the Fuehrer, to ask the Fuehrer for a directive in the following question of principle as well as political tactics.

The aims of German politics, notably in the Ukraine, have been laid down by the Fuehrer. They are: exploitation and mobilization of raw materials, a German settlement in certain regions, no artificial education of the population towards intellectualism but the preservation of their labor strength, apart from that an extensive unconcern with the interior affairs. This policy might, in the future, possibly lead to severe measures of the Government to safeguard German interest, depending upon the attitude of the population. Now, certain individuals have drawn their own conclusions from this policy which they publicized everywhere with drastic slogans such as "colonials who should be whipped like niggers", "Slavs who should be kept as ignorant as possible", "establishment of churches and sects to stimulate trouble", etc. In spite of a directive to the Reich Commissioner of the Ukraine, approved by the Fuehrer, this talk has spread and everyone who has visited the Ukraine has reported the effects of this talk, namely that the frequently displayed attitude of contempt had a more detrimental effect on the willingness to work than any of the other measures. The representatives of the Armed Forces have urgently requested us to care for the pacification of the Ukrainian population to prevent sabotage, the organization of gangs, etc. It seems to me that the above-mentioned talk does not serve but rather damage German interests. After continuous observation of the state of affairs in the Occupied Territories of the East I am of the opinion that German politics may have their own, possibly derogatory attitude regarding the qualities of the conquered peoples but that it is not the mission of German political representatives to broadcast measures and opinions which could eventually bring about the sheer desperation of the conquered peoples, instead of promoting the desired productive labor mobilization. In *this* respect the frequently mentioned comparison with India appears to me entirely wrong. England has largely exploited India and has divided her into power groups; but she has never *broadcast* this exploitation and division. On the contrary, she has emphasized for many years the *blessings* she has brought to the country and has—through certain concessions—facilitated such propaganda.

In home politics we had to announce our aims to the whole nation in the most *candid form of aggression* by way of contrast to the others. Yet, the political leadership in the East must remain *silent* where necessary harshness is dictated by German policy. They must remain silent about their possibly derogatory judgment of the conquered peoples. Yes, a clever German policy might be able to do more in the German interest through politically immaterial alleviations and certain human concessions than through open, thoughtless brutality.

Since in spite of repeated directives, the effects of this former attitude have lately appeared everywhere, I have the intention to send the enclosed decree to the Reich Commissioner of the Ukraine. I ask the Fuehrer rule on this memorandum and on the draft of the decree.

[Rosenberg]

TRANSLATION OF DOCUMENT 345-PS

COPY

Reich Minister for the Occupied Eastern Territories
Berlin, 20 July 1944

1. Telegram

Reich Minister and Chief of the Reich Chancellery—
Dr. LAMMERS
Fuehrer Headquarters

Subject: Fuehrer decree regarding measures for execution.

1. In accordance with an agreement between the Reich Marshal as Supreme Commander of the Air Force, the Reichfuehrer SS, the Youth Fuehrer of the German Reich and the Reich Minister for the Occupied Eastern Territories, the recruiting of youthful Russians, Ukrainians, White Russians, Lithuanians, and Tartars, between the ages of 15 to 20 will take place on a volunteer basis for Kriegseinsatz in the Reich. This is to be fulfilled by the Kriegseinatz commands which were set up in offices which are under my command.

The youths will first of all be placed at the disposal of the Air Force. Thereby, general service men of the Air Force will be freed for employment in other branches of the Wehrmacht. Later, the youths will be used as SS helpers.

2. A similar agreement was made between the offices men-

tioned regarding the recruiting of feminine forces of the same age and of the same nationality as Air Force helpers.

3. On the basis of a suggestion by military offices, the seizing and turning over of youths between the ages of 10-14 into the Reich territories will take place [Heu-Action] in a part of the operational territory, since the youths in the operational territory present a not insignificant burden. The aim of the action is a further disposal of the youths by placing them in the Reich Youth Movement and the training of apprentices for the German economy in a form similar to that which has been done in agreement with the General Plenipotentiary for Arbeitseinsatz [GBA] with White Russian youths, which already shows results. A political direction of this action on the part of the Reich Ministry for the Occupied Eastern Territories is indispensable, since these youths are to be used later in the occupied eastern territories as especially reliable construction forces.

4. In compliance with an agreement with the Supreme Commander of the Air Force, I have ordered that youths in the general provinces of Estonia and Lithuania will be called for employment in the Air Force, which corresponds to the employment of German Air Force helpers.

The Actions under points 1 and 3 are known to the Fuehrer. He has given his express approval. Regarding the execution of the SS helper action, the Fuehrer has set a short time limit. Except for point 3 of the action, all measures are of pure military nature and therefore lie outside the jurisdiction of the General Plenipotentiary for Arbeitseinsatz [GBA]. A special verification of the division of jurisdiction is therefore requested in my correspondence of the 10 July—II 1 d 931/44g, because the GBA has taken the viewpoint that all fugitives are to be taken to the Arbeitseinsatz in the Reich. Therefore he has closed the collection camps for incoming fugitives to the Kriegseinsatz commands.

I ask, in view of the fact that my dealings with the GBA have failed, that a decision of the Fuehrer on this be secured that the measures for 1-4 are prescribed for fugitives and also for the camps of the GBA. I have learned that Gauleiter SAUCKEL will be at the Fuehrer's Headquarters on 21 July 1944. I ask that this be taken up with him there and then a report made to the Fuehrer.

[signed] Rosenberg
Reich Minister for the Occupied
Eastern Territories II 1 d 971/44g]

2. Telegram

To Reich Marshal
Supreme Commander of the Air Force
Supreme Headquarters of the Supreme Commander of the Air Force

Reischsfuehrer SS
Field Command Post

Reich Youth Fuehrer
Berlin (Reich Youth Command)

Reich Minister of Interior
Berlin

each separately

Subject: Activity of the Kreigseinsatz Command (SS-helpers, Air Force women helpers, Heu and Air Force helper Action)

I have just now directed the following telegram to Dr. LAMMERS, Feuhrer Headquarters:

"Insert 1st telegram from '[' to ']'"

I ask (you) to acknowledge. Immediate presentation to the Reich Minister and Chief of the Reich Chancellery is desired.

[signed:] ROSENBERG

Reich Minister of the Occupied Eastern Territories II 1 d 971/44g

SECRET

Chief of the Fuehrungsstab Politik
Ref P 772a/44g

Berlin 22 July 44

Copy to

Ministry Bureau
Gauleiter Bureau
Chief of Fuehrungsstab Politik
Leader of Main Section II
Chief Government Counsellor Dr. Lab.
Ministry Director Dr Brautigam
Brig. Gen (HJ) Nickel

each separately with the request for acknowledgment.

initialled: Str
Straube

Directives 287
Fuehrer's Headquarters
16 September 41

The Chief of the Supreme Command of the Armed Forces

Armed Forces Command Staff/Dept L(N/Qu)
No. 002060/41 Top Secret

27
[handwritten]
40 Copies
25th copy

Subject: Communist insurrections in the Occupied Areas

1. Since the beginning of the campaign against Soviet Russia, communist insurrections have broken out in all the areas occupied by Germany. The forms of procedure are increasing from propaganda measures and assaults on individual members of the Armed Forces to open rebellion and widespread guerilla warfare.

It can be ascertained that we are dealing with a *mass movement, uniformly controlled* by Moscow, which is also responsible for the seemingly unimportant sporadic incidents, in otherwise quiet areas.

In view of the considerable political and economic tensions in the occupied areas, it also has to be taken into account that nationalistic and other circles take advantage of this opportunity to cause difficulties for the German occupation forces, by joining the communist uprising.

In this way, an increasing *danger to the German conduct of the war* is developing, which appears at first in the form of general insecurity for the occupation force, and has already led to a shift of forces toward the main centers of unrest.

2. *The measures taken so far,* to meet the general communistic mutiny-movement, have proved to be *insufficient.*

The Fuehrer has given orders now to strike everywhere with the strongest means, in order to suppress the movement in shortest time.

Only with this method, which in the history of power-extension of great nations has always been used with success, will it be possible to restore peace.

3. *The following rules* will apply:

(a) *Every case* of rebellion against the German occupation forces, regardless of circumstances, must be concluded to be of *communistic origin.*

(b) In order to suppress those machinations from the beginning, right on the *first occasion,* the strongest means have to be employed to ensure the authority of the occupation forces and to prevent further spreading. Here also has to be considered that a human life, in those countries affected, often doesn't mean anything, and a deterrent effect can only be achieved by extraordinary strength. As atonement for the life of one German soldier a death-penalty for 50–100 communists must be generally considered as proper. The manner of execution of the death penalty must be such so that it will have a deterrent effect. The reverse method, to proceed first with relatively mild punishment and threaten with stronger measures, is in this case not warranted, and will therefore not be applied.

(c) *The political relations* between Germany and the country concerned are not decisive for the attitude of the military occupational government. Rather it has to be thought about and presented through propaganda, that strict measures free the native population from those communistic criminals, and therefore they will profit by them.

A clever campaign of propaganda of this sort will not have as a result unforeseen reactions on the liberal [gutgesinnt] portions of the populace due to the harsh measures employed against the communists.

(d) *Forces indigenous to the areas* will in general be opposed to the execution of such violent measures. Their augmentation brings as a consequence increased danger for the various troops with them, and consequently must be discontinued.

On the contrary, by the utilization of a system of premiums and rewards for the populace, their assistance can be secured in a suitable form.

(e) In so far as *exceptional court-martial procedures* should have to be introduced in connection with the communist insurrection or with other offenses against the German Occupational Force, the severest penalties are requested.

A practicable means of intimidation in this matter can be only the death penalty. In particular acts of espionage, sabotage, and attempts to join the forces of hostile powers must of necessity be punishable by death. For illegal possession of weapons the death penalty in general is to be decreed.

4. *The Commanders in the Occupied Territories* are to be responsible for the immediate dissemination of these policies to all military units concerned with the treatment of communistic acts of rebellion.

[Signed:] KEITEL.

Distribution:

Armed forces commander southeast through communication section		1st copy
Military commander Serbia		2d copy
Military commander Salonika-Aegean		3d copy
Military commander southern Greece		4th copy
Military commandant Crete		5th copy
Armed forces commander Norway		6th copy
Armed forces commander Netherlands		7th copy
Armed forces commander Ostland		8th copy
Armed forces commander Ukraine		9th copy
Armed forces deputy with the Reichs protector in Bohemia and Moravia		10th copy
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Military commander France		14th copy
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Chief of the Luftwaffe (Gen Staff of the Air)		19th copy
Supreme command of the Navy (SK1) (Seekommando 1)		20th copy
Armed forces staff K. Wiesbaden		21st copy
Foreign office for Mr. BOTSCH. RITTER		22d copy
Special purpose staff Frankfort on the Oder	over LII	23d copy
Special purpose staff Breslau		24th copy
Supreme Command of the Armed Forces:		[stamped: 291]
Armed forces command staff		25th copy
Section L		26th to 32d copies
W. Pr		33d copy
Foreign office/intelligence		34th copy
Section foreign countries		35th copy
Intelligence III		36th copy
Economical mobilization office		37th copy
A W A		38th copy
W R		39th copy
Liaison officer with the general government in Cracow		40th copy

TRANSLATION OF DOCUMENT 459–PS

Fuehrer Hq., 23 July 1941

Chief of the Supreme Command of the Armed Forces
No. 442254/41, Most Secret WFSt/ Section L(IOp)

Supplement to Directive No. 33

On 22d July, the Fuehrer, after receiving the C-in-C of the Army, issued the following orders with a view to supplementing and enlarging Directive No. 33:

1 to 5: (Strategic measures).

6. In view of the vast size of the conquered Territories in the East, the forces available for establishing security in these areas will be sufficient only if instead of punishing resistance by sentencing the guilty in a court of law, the Occupying Forces spread such terror as is likely, by its mere existence, to crush every will to resist among the population.

The respective Commanders, together with available troops, should be made responsible for maintaining peace within their areas. The commanders must find the means of keeping order within their areas, not by demanding more security forces, but by applying suitable, drastic measures.

[signed] Keitel
A true Copy
[illegible signature]
Major (staff)

TRANSLATION OF DOCUMENT 488–PS

The Reichsfuehrer-SS

8 Prinz Albrecht-Strasse
Berlin SW 11
1 April 1940

DECLARATION

I, the undersigned Reichsfuehrer of the SS, Heinrich Himmler, herewith confirm that,

(1) The Institute for Research and Study of Heredity [Forschungs-und Lehrgemeinschaft "Das Ahnenerbe"], 16 Puecklerstrasse, Berlin-Dahlem, and

(2) The "Foundation for the study of Heredity" ["Ahnenerbe-Stiftung"], 28 Wilhelmstrasse, Berlin, SW 68,
are components of my Personal Staff and, as such, departments of the SS.

[signed] H. HIMMLER

By-Laws of the Institute for Research and Study of Heredity

(1) Name and Task

The Institute for Research and Study of Heredity has the task to do research on the area, spirit, and heritage of the Indo-Germanic race which is a Northern race. Part of this task is to mould the results of its research work in an attractive manner and to teach them to the people. This task must be carried out by applying scientific methods. Its realization will be achieved through:

1. The establishment of institutes for research and study.
2. The commission of research projects and carrying out of research trips.
3. The promulgation of scientific publications.
4. The promotion of scientific work.
5. The arrangement of scientific conventions.

The Institute for Research and Study of Heredity shall promote and support all like or similar endeavors, also in the field of collaboration between peoples. The Institute for Research and Study of Heredity is an organization in the public interest in the meaning of legal regulations.

(2) Research Projects

To carry out its tasks, the Institute for Research and Study of Heredity may also commission non-member scientists with research projects. The research results will be exploited by the scientific divisions of the Institute for Research and Study of Heredity.

(3) Headquarters, Management

The headquarters of the Institute is located in Berlin. The Institute will be registered in the Register of Associations [Vereinsregister] of the Lower Court [Amtsgericht] of Berlin. The business year begins on 1 April of each year.

(4) Organization

The Institute for Research and Study of Heredity comprises:

1. The Senate
2. The Research Council
3. Corresponding Members
4. The Circle of Founders
5. Active and Participating Members.

(5) Management

The management of the Institute for Research and Study consists of:

1. The President who is also the chairman and legal representative of the registered association in the meaning of Section 26 of the Civil Code [Buergerliches Gesetzbuch].
2. The Curator.

3. The Reich Manager

The Reichsfuehrer of the SS is President.

(6) President

The President is at the helm of the Institute for Research and Study. His duties are:

1. The Management of the Institute for Research and Study. He assigns the work to the various divisions and determines the individual tasks;
2. He appoints and recalls the Curator and the Reich Manager;
3. He appoints the members and recalls them;
4. He approves the budget;
5. He has the exclusive authority to change the By-Laws and dissolve the society insofar as this is permissible according to the legal provisions then in force.

(7) Curator

The scientific management of the Institute is under the Curator within the framework of the directives issued to him by the President.

(8) Reich Manager

The Reich Manager conducts the business of the Institute; it is his duty to handle the business aspect and the administration. He is responsible for drafting the budget and for handling of the treasury.

(9) Members

The Institute has:

(a) Active Members

(b) Participating Members

(c) Corresponding Members. Associations and legal entities may also be members. Admission and recall of members will be handled by the Reich Manager as representative of the President insofar as the latter does not reserve the decision. In case of serious infractions by a member, his separation from the Institute may be brought about by expulsion instead of by a recall. Reasons must be given for the expulsion. No reasons need be given for the recall but the recall is considered notice of termination of membership effective immediately or at the later date stipulated in the recall. Each member may also at any time give notice, in writing, of termination of his membership. This notice will be effective as of the end of the current business year.

(10) Membership Dues

Membership dues will be collected only from the Participating Members. The President determines the appropriate amount of the dues. In special cases the President or the Reich Manager may reduce or dispense with the dues.

(11) Participating Members

Participating Members have all the rights which the members of the association have according to these By-Laws in connection with the legal regulations. They are, furthermore, entitled to participate in all meetings whatsoever of the Institute.

(12) Active Members

The Active Members are the scientific co-workers. They will be proposed to the President by the Curator. Nature and form of their collaboration will be determined by the Curator through general guiding rules as well as through an agreement in each individual case. Insofar as such an agreement creates monetary obligations or essential organizational measures for the Institute, it requires the approval of the Reich Manager.

(13) Corresponding Members

Scientists and other promoters in this country or in foreign countries may be Corresponding Members. They are entitled to participate both in the meetings of the Institute and in the collaboration without, however, being obligated to pay dues or to collaborate. They will likewise be appointed by the President upon the nomination by the Curator or Reich Manager.

(14) Circle of Founders

The Circle of Founders consists of promoters of the Institute for Research and Study of Heredity who make available to the Foundation for the Study of Heredity funds for promoting the Institute. The President admits persons to the Circle of Founders upon the proposal by the Chairman [Vorstand] of the Foundation for the Study of Heredity and the Reich Manager. The founders have all the rights of the Participating Members with the exception of the right to vote.

(15) Research Council

It is the task of the Research Council to advise the President and the Curator in matters concerning special scientific projects. The President appoints the members of the Research Council. The President determines the organization and the working methods of the Research Council.

(16) Senate

The members of the Senate are appointed by the President. They are men from among the leaders of the Party and State who are especially close to the aims of the Institute and who have declared, to the President, their willingness to become members.

The members of the Senate have no legal obligations whatsoever but they will be called in by the President to attend meetings of the Institute where they will be received in an especially befitting manner; they will be informed about the cultural work of the Institute and will be supported by the President of the Institute both concerning their suggestions made to the President and regarding their own endeavors in the research fields of the Institute.

(17) Membership Meeting

The membership meeting will be convened according to the provisions of Section 36 of the Civil Code [Buergerliches Gesetzbuch]. The Reich Manager is obligated to convene a membership meeting if more than two-fifths of the participating members request that the meeting be called provided they state the reasons for their request. A written invitation or the copy of an invitation in the periodical "Germanien" is sufficient to convene the meeting.

(18) Dissolution

In case of dissolution of the Institute the President will determine the utilization of the property in the public interest.

[signed] H. HIMMLER

Berlin
1 January 1939

Institute for Research and Study of Heredity
Reich Central Office, 16 Puecklerstrasse, Berlin-Dahlem.

TRANSLATION OF DOCUMENT 535-PS

TOP SECRET

Berlin SW 11, 23 January 1945
Prinz Albrecht Str. 8

Chief of the Security Police and of the SD
IV A 2 a — Ltr. No. 502/42gRs
58960 45

To: The High Command of the Armed Forces
Armed Forces Planning Staff
Attention of Col. i.G. Polleck, o.V.i.A.,
Berlin W 35
Tirpitzufer 72/76

Subject: Commando Operations.
Reference: Your letter of 28 September 1944—WFSt./Qu.2 (Verw. 1) No. 0011754.44 g.K.

I cannot agree with the view supported in the cited letter as well as in the letter, transmitted as an enclosure by the Commander in Chief of Southeast dated 13 September 1944, that members of commando operations now fall under the Fuehrer order of 18 Aug 1944 and/or 30 July 1944 (OKW/WFSt/Qu. 2/Verw. 1 No. 009169/WR I/1 No. 79/44g Kdos.) This Fuehrer order speaks expressly only of non-German *civilians* while the members of commando operations in question generally appear in enemy uniform and consequently must be treated according to the Fuehrer order of 18 October 1942—003830/42g Kdos/OKW WFSt. Only members of commando operations in civilian clothing can be treated, from the very beginning, as agents according to exclusive Security Police viewpoints, since according to the Geneva Convention they cannot claim any favors for PWs.

I request that you inform the other recipients of your letter of 28 Sept. 1944 in the above sense and to notify me of the action taken.

E. Kaltenbrunner

TRANSLATION OF DOCUMENT 580–PS

The Reich Minister for the occupied Eastern territories
III Economic Labor Policy and Social Administration
File number 5782–460/42

Berlin W 35, 6 March 1942
Kurfuerstenstrasse 134

(*a*) To the Reich Commissioner for the Ostland *Riga*
(*b*) To the Reich Commissioner for the Ukraine *Rowno*
For information to the Commissioners General with copies to the District Commissioners Labor Division

Re: Recruiting of civilian workers from the occupied Eastern territories.

1. The Deputy for the Four-Year-Plan, Department Manpower, requested by decree of 24 February 1942—V a 5780 28/60 the procurement of 380,000 agricultural workers and 247,000 industrial workers from the occupied Eastern territories. The employment of these workers in the Reich is particularly urgent and cannot be delayed because of the coming spring cultivation and because of the requirements of the armament industry.

2. As shown in the attached statements, the Deputy for the Four-Year-Plan in agreement with me has divided the total requirements as indicated by the above figures between the territories of the Reich Commissioners and the Commissioners Gen-

eral. In carrying out this decree it should be kept in mind that in any case the requirements of the Reich have priority over the local requirements for workers. Exceptions to this rule may be made if the tasks in question are urgently necessary for the interest of the war, as for instance construction jobs of the Organization Todt, supply of troops, requirements of agriculture, transportation of coal, reconstruction of electrical plants, etc.

3. The Labor Policy and Social Administration departments and their subordinate labor offices and social agencies with the support of and in agreement with the departments politics, press and propaganda, food and agriculture and the local district offices or their leaders respectively will be in charge of this task. Furthermore, the Deputy for the Four-Year-Plan will augment his recruiting commissions, or add new ones.

4. The Labor Policy and Social Administration departments, as well as their subordinate labor offices and social agencies have to take steps that all available manpower be registered. First, all the manpower has to be registered which is still available in large cities and which in the last years has migrated from the farms into the cities and were employed in industrial plants. Then workers who have migrated from the cities to the country, and who for reasons of food have taken refuge on the Sowchos and former Kolches, and who are dispensable. The district leaders have to take active part in the recruiting and making available of these workers.

5. Furthermore, the district offices have to supply food and, if the occasion arises, horses required for the transportation of the workers. If possible, a car with food is to be attached to every train leaving for the Reich to furnish an initial food supply for the workers, e.g., millet among other things.

6. The workers are to be recruited. Forced enlistment should be avoided, instead for political reasons the enlistment should be kept on a voluntary basis. In case the enlistment should not bring the required results and there should be a surplus of workers available use may be made, in extreme cases and in agreement with the General Commissioner, of the decree dated 19 December 1941 concerning the introduction of compulsory labor in the occupied Eastern territories. Promises which cannot be kept may not be given either in writing or verbally. Therefore, the proclamations (posters) and appeals in the press and over the radio may not contain any untrue information in order to avoid disappointment among the workers employed in the Reich and thus reactions against future recruiting in the occupied Eastern territories. Recruiting appeals are to be published only in agree-

ment with the Labor Policy and Social Administration departments and press and propaganda.

7. The drafted workers are to be brought to designated *collecting points* (to district commissioners). In case of a shortage of transportation, which is to be anticipated, the workers should be marched to their destination, their necessary baggage loaded on vehicles supplied by the respective towns or plants where the workers came from. *Authorized assembly camps* should be set up according to necessity.

8. The OKW—Chief of Transportation—promised to furnish every week a certain number of railroad trains for the *transportation* of workers *into the Reich.* Time tables will be issued soon.

9. Food rations must be furnished to the workers for the march to the collecting point and the following trip; as far as possible *warm meals* are to be provided by the Labor Administration at the collecting point and at the stopping points.

10. *Delousing* of workers and their baggage is to be carried out in installations provided for that purpose, and if necessary, additional delousing facilities should be set up or drawn from the Armed Forces.

Please transmit directives to your subordinate offices without delay and report to me urgently (by teletype) regarding the arrangements made. On account of the urgency of the matter the Commissioners General received their copies directly.

For the Gauleiter and Reichsstatthalter
[signed] Alfred Meyer

[Stamp of the Reich Ministry for the Occupied Eastern Territories]

Certified:
[signature illegible]
Reg. official

Copy

Enclosure 2 to Va 5780. 28/60

Recruiting of Industrial Workers

Recruiting district [Oblast]

Territories	Workers
Charkow	20,000
Saporoshje	15,000
Taganrog	10,000

Molitopol	10,000
Druczkowka	6,000
Kramatoskaja	20,000
Slawjansk	4,000
Konstantinowka	10,000
Stalino	50,000
Kiew	30,000
Nikolaijew	5,700
Kriwoj-Rog	7,000
Schostka	8,000
Powno	1,000
Prosskurow	10,000
Dniepropetrowsk	6,200
Reval	4,000
Riga	2,000
Kauen	2,000
Wilna	2,000
Odessa	25,000
Total	247,900

Enclosure 1 to Va 5780. 28/60

Recruiting of Farm Labor

Recruiting district (quota)

1. Economic District North (mainly Russian refugees)
2. General Commissariat of White Ruthenia and district of Minsk including Economic District Center
3. Reichs Commissariat Ukraine

Quota	Kiew North-Soth	90,000
"	Kamenez-Podolsk	60,000
"	Shitomir	50,000
"	Rowno	30,000
"	Luzk	30,000
"	Brest	30,000
	Total	380,000 [?]

Foreign
BV11 [pencil note.]

Berlin, 4 May 1940

Notice

A. Conference between the Under Secretary of State Gaus—and the chief for foreign affairs on 3d May, 1940 at 15.30 hrs. Under Secretary of State made the following statements:

That the Reichsminister for Foreign Affairs in cooperation with the Under Secretary of State had now worked out exactly the White Book Belgium/Holland.

That the Minister asked to change in it, furthermore, the following:

1. The deletion of the sentences "in case of German invasion".
2. The document would have to bear the signature of Lt. General Keitel.
3. The Minister still misses the crescendo, which is to lead to the final build up in view of the Belgium neutrality. The military situation had taken such a turn that German military action was deemed necessary in the interest of the security of Reich.

Several reports which describe the situation as urgent should be added. For instance, the presence in Brussels of General Staff Officers of the Western powers; considerable reinforcements of the enemy's left wing; the best would be an invasion order for allied British-French troops into Belgium and Holland.

B. 18-30 hrs. report by the chief of the foreign affairs section about matters mentioned under A in the presence of the chief of the OKW, chief of WFA, and the chief for foreign affairs.

To A (1) and (2) no objections by any party,

To A (3) Chief for foreign affairs section defense expressed most serious reservations for the following reasons:

(A) The value of the treatise only would be weakened by additions of this nature for which there would not be any support; in such a way it would be stripped of its character as a document.

(B) The responsibility for the White Book would be shifted completely, placed entirely upon the shoulders of the chief of the OKW moreover by the Chief of the Supreme Command of the Armed Forces report on this important military problem, to the Reich's Cabinet even to the Reich Minister for Foreign Affairs, would be entirely unusual and thereupon conspicuous. Such a report would naturally have to be addressed to the Fuehrer and the Supreme Commander in chief of the Armed Forces.

(C) The chief of the OKW agrees to the aforesaid matter but is ready if necessary to provide the treaties with an indorsement of about the following contents:

Enclosed synopsis of evidence is being transmitted which heavily incriminates Belgium and Holland for its attitude with regard to the matter of neutrality.

Therefore I deem it to be imperative that Germany acts before the opposite side acts, or imperative to draw the necessary political conclusions.

The chief for Foreign Affairs section defense counsels urgently omit the final sentence.

The question remains unsettled for the time being.

(D) Conveyed attitude taken by the Chief of the OKW Undersecretary of State Gaus by the Chief for Foreign Affairs, 3 May 1940 19-30 hrs.

TRANSLATION OF DOCUMENT 884–PS

TOP SECRET

Dept. National Defense (IV/Qu.)

Fuehrer H. Q. May 12, 1941
Affair for Chief!
By commissioned officer only!

Subject: Treatment of political and military Russian officials.

Report notice

I. Army High Command presents a statement of the instruction from March 31, 1941, concerning *"Directives regarding treatment of political representatives, etc., for uniform execution of this mission,"* enclosed as Annex 1.

This draft provides:

1. Political representatives and commissars are to be *eliminated.*

2. Insofar as they are *apprehended by the troops,* decision rests with an officer of disciplinary power *whether that person is to be eliminated.* Identification as political functionary is sufficient proof.

3. Political commissars *of the Army* are not recognized as *Prisoners of War* and are to be *liquidated* at the latest in the transient prisoner of war camps. No deportation to the rear areas.

4. *Professional directors (commissars) of economic and technical institutions* are to be apprehended only if resisting the German Armed Forces.

5. The execution of the operations must not be interrupted by this measure. Coordinated *search parties* and *razzias* are not to take place.

6. In the *rear army areas* political functionaries and commissars, with the exception of political military commissars, are to be handed over to the commitment Kdos. of the political *security police.*

II. In opposition to this, Memorandum 3 of The Reichsleiter Rosenberg, suggests that only very high and topmost functionaries be liquidated as the state, communal, and economic functionaries are indispensable for the administration of the occupied territories.

III. *Therefore a decision of the Fuehrer is required which principles shall be valid.*

Proposal L. for case II:

(1) Functionaries revolting against the army, a thing to be expected from the radical element, come under the decree of rules for military tribunals of the territory Barbarossa. "They are to be liquidated as partisans. The same provision is accepted in Directives for conduct of armed forces in Russia."

(2) Functionaries, committing no hostile act, are to be left in peace for the time being. The armed forces can hardly be expected to segregate the different grades of authority in the separate sectors, only after more complete penetration of the territory will it be possible to decide, if the remaining functionaries may stay at their present location, or will be handed over to the special commandos, insofar as commands themselves are not in a position to conduct the scrutiny.

(3) Military functionaries [commissars] are to be dealt with according to proposal OKH. They are not recognized as prisoners of war and are to be liquidated at the latest in the transient P of W camps and under no circumstances to be removed to the rear areas.

W.
[initial of Warlimont]

Distribution:
Chief of W.F.St.
Chief L.
L IV.
Ktb.
News: W.R.

PARTIAL TRANSLATION OF DOCUMENT 1031-PS

Top Secret

Berlin May 28, 1941

Notes of Meeting with Reichsminister FUNK

Present:

(1) Reichsleiter	Rosenberg
(2) Reichsstatthalter	Meyer
(3) Stabsleiter	Schickedanz
(4) Staatssekretar	Landfried
(5) Reichsbankdirektor	Wilhelm
(6) Ministerialdirektor	Schlotterer
(7) Oberbuergermeister	Winkler
(8) Oberbereichsleiter	Malletke

Subject: Establishing of currency for the countries to be occupied.

* * * * * * *

[page 4]

[Par. 2]

In the Ukraine and in the Caucasus however it would become necessary to maintain the present currency the Rubel; at least until a Ukrainian and or Caucasian National Bank has been formed. Plans would have to be made to provide sufficient Rubel bills by printing new ones in Germany, as well as by manufacturing printing dies to be used also over there, these Rubels to be used for purchases as well as for troops.

Reichbankdirektor Wilhelm asks that the Reich Bank not appear in the new printing of Rubel bills under any circumstances. The Reich Bank should not be accused in any case that it has counterfeited bills. For this purpose a special organization must be created.

* * * * * *

TRANSLATION OF DOCUMENT 1032-PS

[Handwritten note] 10.6.41.

Secret—[stamp]

[Handwritten note] H.Gs.

Note

The following remarks should be made with regard to today's debate on the position of the Chief Commissars in the occupied Eastern territories:

The Chief Commissar is provided because the General Commissariats are so extensive and the number of District [Kreis] Commissariats in them so large that effective and direct contact between the General Commissars and the District [Kreis] Commissars appears to be impossible. In the General Commissariat of Kiev, for instance, which is made up of 221 rayons, about 75 town and country Districts [Kreise] would have to be organised, if 3 are merged into 1. The introduction of an intermediate authority would make contact not more complicated, but easier. It is also not established that such an interposition would involve delay in official procedure. Direct contact between the General Commissariats and the District [Kreis] Commissariats would meet with technical difficulties too. Railway traffic might prove difficult in view of the havoc which has been wrought, principally the blowing up of bridges. A reliable postal service will be long delayed, and in addition many District [Kreis] towns will not be on the railway at all. For these reasons too, therefore, it would be an extraordinary relief to the General Commissar, if, instead of 70–100 District [Kreis] Commissars, he has to deal with only 4–5 Chief Commissars, who, in their turn, are administering about 20 District [Kreis] Commissariats.

The establishment of Chief Commissariats had been instituted, also because it appeared expedient to include the larger producing areas in the General Commissariats and to bring them under uniform direction. The District [Kreis] Commissariats are too small for this. It is comparatively easy to split up the General Commissariats into Chief Commissariats, but, on the other hand, extraordinarily difficult to determine, at the Conference Table, just where District [Kreis] Commissariats should be established, especially as the Soviet system is not being taken over, but a number of rayons are to be merged into one District [Kreis]. In the Soviet Union, villages of a few hundred inhabitants are in many cases the seat of rayon administrations. It therefore appears inexpedient to determine at this stage where District [Kreis] Commissariats are to be set up. It might be better to hand over the District [Kreis] Commissars to the Chief Commissars as well, so that the Chief Commissar can decide on the spot where to organise District [Kreis] Commissariats. He could make extensive use of the experiences of the military administration. The proposal to reduce the number of Districts [Kreise], if and when there are no Chief Commissars, by merging 6 rayons into one District [Kreis], does not appear to be expedient, because the District [Kreis] is supposed to be the lowest German administrative department and the District [Kreis] Commissar must be in

constant and effective contact with the communities, since otherwise his instructions are not carried out.
Berlin 10.6.41.

Braeutigam

Distribution:
Rl
Stl
GL
LP Dreier
Dr. Leibbrandt.

TRANSLATION OF DOCUMENT 1137–PS

Chief of the Political Operational Staff, Pers. Ref.
MICHENDORF, 27 October 1944
[pencilled] P 1051a/44 secret [stamp] SECRET
(1) To: Ministerial Bureau
Att: Standartenfuehrer Dr. MARQUART

Inter-office Memorandum

[pencilled] 31 Oct.
[illegible marking.]

Inclosed I transmit to you report by Hauptbannfuehrer [=Brig. Gen. Hitler youth] NICKEL concerning the activity of the Bureau, with the request that it be shown to the Reich Minister and then be returned after due note has been taken.

1 Inclosure

(2) To: Operational Groups P 1, P 2, P 3 for attention & kind return.

/s/ STRAUBE.

Berlin, 19th October 1944
[stamp] SECRET!

The Reich Minister for the Occupied Eastern Territories
Office of Hauptbannfuehrer NICKEL
Berlin C 2, Klosterstr. 79
[in ink] No. 717/44 secret.

To: The Reich Minister for the Occupied Eastern Territories
MICHENDORF

Subject: Report on the activity of the office of the Haupbannfuehrer NICKEL in the Reich Ministry for the Occupied Eastern Territories.

On 5th March 1944 I received the order to open Office for the recruitment of youths 15 to 20 years of age from the population of the Occupied Eastern Territories for war employment in the Reich. The settlement of political and labour questions, the compilation and instruction of the staff as well as the erection of procurement-camps, the preparation of clothing and equipment, the establishment of offices, the planning and procurement of the first propaganda-materials and the setting up of special field units were completed by 27 May 1944. The clearing up of political questions required the longest time, which led to constant differences between the subordinate offices of the Reich Ministry for the Occupied Eastern Territories, particularly in Riga and Kauen.

The Office was able to commence practical work:

(*a*) on 27 May 1944 in the middle sector of the Eastern front of that time;

(*b*) on 4 June 1944 in the southern sector of the Eastern front;

(*c*) on 15 June 1944 in Lithuania

(*d*) on 15 June 1944 in Estonia

(*e*) on 18 July 1944 in Lettland.

From then on to 20 September 1944, i. e., in barely four months there were procured for employment

1. 18,917 youths
2. 2,500 girls

Total: 21,417

Re. 1: The youths employed are classified as follows:

(*a*) 1383 Russian SS Auxiliaries
(*b*) 5953 Ukrainian SS Auxiliaries
(*c*) 2354 White Ruthenian SS Auxiliaries
(*d*) 1012 Lithuanian SS Auxiliaries
(*e*) 3000 Estonian Air Force Auxiliaries
(*f*) 3614 Latvian Air Force Auxiliaries

All those in the (*a*) to (*f*) group are employed in the Air Corps, to wit:

1000 in Air Communications
1000 in motorised ARP
265 in dockyards
the remainder in anti-aircraft artillery.

(*g*) 302 Russian SS auxiliaries could not be brought back and were handed over to the Army High Command [AOK] 9 in BOBRUISK, employed in the troops and were mostly killed, in action.

(*h*) 346 Estonian Air Force auxiliaries were transferred to the Navy as assistants.

(*i*) 250 selected Ukrainian SS auxiliaries had 8 weeks training in a WE camp and were then transferred to the Galician Infantry Division as future noncommissioned officers.

(*k*) 96 youths over 20 years of age were received by the SS Main Office to be exchanged against Germanic volunteers from the armaments industry.

(*l*) 81 youths less than 1.40 m. in height went to the Air Force Signal Repairs Workship 8/III at HOHENFRIED, East Prussia, for apprentice-training.

(*m*) 99 unfit youths were sent to the Construction Office of the HITLER youth Movement as builders of concentration camps.

(*n*) 427 men over 45 years of age were sent to the Air Force. 41 youths fell so far in line of duty, 2 youths received the Iron Cross, Second Class.

Re. 2.: 500 Ukrainian and Russian girls were transferred into the Air Corps as searchlight personnel.

200 girls are now employed in building of emplacements on the Baltic Sea, under guidance of BDM leaders, and will then go to the Air Force. All posts are satisfied with the youthful workers received. The youths are enthusiastic about their enrollment, on one hand and unassuming, on the other. With the right education, anything can be done with them. My office carries on the training in the Air Force, on basis of the given general plan. In addition to these workers, others had already been channeled into the German armaments industry, to wit:

(1) 3500 youths and
500 girls to the Junkers Works;
(2) 2000 youths and
700 girls to the Todt Organization [Labor Corps].
Total: 6700

From the Occupied Eastern Territories the following workers have thus been allotted by the office functioning under the Hitler youth Movement:

18917 youths to the Air Force
5500 youths to the armaments industry
2500 girls to the Air Force
1200 girls to the armaments industry
Total: 28117

The process comprises: enlistment, transportation, here also decontamination — examination — clothing — first preparatory service — selection of personnel — transportation to the Reich and to the main camp—preparatory education in languages until they completely possess a knowledge of the German military words of command — close order drill, up to moving in a column on the march — preparatory rifle course — physical exercises (basic) — indoor duties — conduct in service and off duty — conduct towards superiors.

Educational and welfare care on the lines laid down.

Postal censorship and postal traffic.

The office conducts this preparatory work with its own staff, without having to follow up the first requisitions by later ones. The first youths (2000) were transferred to the troops on 8 July 1944. Ukrainian, Russian, White Ruthenian and Lithuanian SS auxiliaries were employed in the Reich, from the very beginning, while Estonian and Lettish Air Force auxiliaries were attached to German Air Force units in their own countries.

The Estonian and Lettish Air Force auxiliaries have temporarily been withdrawn into the Reich, half of them being brought back by the troops themselves, whereas in the case of the other half the troop units had become completely dispersed. The greater part of the youths thus lost has in the meanwhile been again collected by special teams from my office and brought into the Reich; from the main camps there they will be re-distributed to the troops.

The order to enroll girls also was only received by the office on 1 July 1944.

The office carried out the command by the following organizational arrangement: In the Occupied Eastern Territories themselves there were—corresponding to the three main army groups—

(*a*) the Northern HITLER Youth Operational Command.

(*b*) the Ceneral HITLER Youth Operational Command.

(*c*) the Southern HITLER Youth Operational Command.

Over that stood the Berlin office as Unit Field Postal Number 14.298. Each one of the commands was headed by a Hitler Youth Leader. The office disposed over 16 concentration camps in the Occupied Eastern Territories, in addition to the four main camps at EGER, KREMS, PUETNITZ and LOBBE within the Reich. Furthermore: 68 armored vehicles, 14 trucks and arms and ammunition for all members of the Command. Arms consisted of pistols, carbines, light machine guns, heavy machine guns and grenade launchers.

Personnel was composed of—

1. Members of the Hitler Youth: 5 leaders; 3 BDM leaders; 71 German youth leaders as translators and assistant instructors.

2. Members of the SS: 26 SS leaders; 234 noncommissioned officers and troops; drivers, and translators.

3. Air Force personnel: 37 officers; 221 noncommissioned officers and privates, in particular specialist N.C.O.'s for clothing, administration, rations, and transportation units.

4. 5 office personnel.

Of this staff there were released up to 1 October 1944—

1. 12 SS leaders; 134 noncommissioned officers and troops.
2. 15 air force officers; 134 N.C.O.'s and troops.
3. 1 Hitler youth leader.

The unit lost in action 5 killed and 7 wounded. 7 motor vehicles became useless or were lost. The entire equipment, with a few exceptions, as well as uniforms and items of equipment, could be brought back.

Since in the beginning, the entire personnel has been considered as being to the Command (office) only, they are now considered as having been transferred assignment as of 1 October 1944 on.

The Office now has its own Table of Organization. One staff officer from the Air Force and one SS Leader in the office each have full powers of a regimental commander. The largest number of staff is required for personnel affairs:

1. Procurement of personnel
2. Escorts for transports
3. Administration
4. Clothing
5. Supply and kitchens.

On 1st August 1944 the office received the order to extend its activities to the emigrating Eastern population in the Reich and the Occupied Territories. The order came too late as regards the Occupied Territories. A report on this mass operation can be presented at a later date only. In addition, from that date on, the office has received orders of the most varied kinds and in numerous countries, which can only achieve partial results, or which come too late, especially in France, Belgium, Serbia and Greece. At the present time the office is functioning, after reforming the commands [units] and changing over of the whole work, in cooperation with:

(*a*) the Netherland Hitler Youth Operational Command

(*b*) the Adria Hitler Youth Operational Command

(*c*) the Southern Hitler Youth Operational Command in Slovakia and Hungary;

(*d*) the Lt. NAGEL special Command in refugee camps within the Reich

(*e*) the field-offices in Vienna, Posen-Litzmannstadt, Prague and Berlin for emigration of the Eastern populace;

(*f*) with disbanded Operational Commands for repatriation of German populace from the South-East.

Comprised in this list is the Hitler Youth Operational Command in Poland, one Command in course of preparation for Northern Italy and the Protectorate.

Particular efforts are required at the present time for stepping up political education and welfare of those who are attached to troops in the Reich. The main camps in the Reich are at present occupied by about 1600 youths and barely 1000 girls, who are constantly being released to the troops.

The office has furthermore undertaken to supply 4000 laborers released for labor purposes to the Construction-office of the Reich Youth Leadership by the Plenipotentiary General for the German nationals released for recruitment. Preparatory measures have been taken here.

Heil Hitler!
The Chief of the office
/s/ NICKEL
/t/ (NICKEL)
Brigadier General [Hauptbannfuehrer]

TRANSLATION OF DOCUMENT 1201–PS

Copy.

[in red pencil] 54 1/
Berlin, den 20.2.42

Rue III Z St
Az. i k 32/510 Wi Rue Amt/Rue III Z St

[in red pencil] Secret!

Notation for the Files

Subject: Lecture of Ministerial Director Dr. Mansfeld, Deputy General for the Mobilization of Labor [Arbeitseinsatz] on general questions regarding the Mobilization of Labor Committment.

Time:
19 Febr 42, 10.00 hours
Place:
Reich Chamber of Economy
[Reichswirtschaftskammer]

Present:
From Wi Rue Amt KVR Dr. Grotius

The present difficulties in the Mobilization of Labor [Arbeitseinsatz] would not have arisen, if one had decided in time on a generous *employment* [*Einsatz*] *of Russian prisoners of war.* There were 3.9 million Russians available of whom there are only 1,1 million left. 500,000 Russians died between Nov. 41 and Jan. 42 alone. The number of Russian prisoners of war employed at present (400,000) can hardly be increased. Whenever the typhus-cases decrease, there may be a possibility to bring 100,000 to 150,000 more Russians into the economy.

Compared to that, the employment of Russian civilians is gaining over greater importance. There are all together *600,000 to 650,000 Russian civilians available,* 300,000 of whom are skilled industrial workers, and 300,000 to 350,000 for agriculture. The *employment of these Russians is exclusively a question of transportation.* It is insane, to transport these laborers in open or closed unheated box cars, merely to unload corpses at the destination.

8 to 10,000 Russian civilians who are very excellent workers come to Germany every week. They command good practical knowledge, work with precision and at a speed which can not always be kept up by german laborers.

The nutrition-question presents special difficulties. The Russians are fed and clothed well when they arrive and have to be kept physically in a condition which enables them to work. Therefore after a conference with the Secretary of the State BACKE, the rations of the Russians are to be improved.

[pencilled notation]
BDc Gotha
matters concerning Russian prisoners of war.

TRANSLATION OF DOCUMENT 1263-PS

15 October 1942,

WFSt/Qu. [Administration]
Re: Fight against enemy sabotage troops.
[In Handwriting]: Reexamine Distribution (WR and Abw.)
Warlimont, Oct 15

Note

Following the radio announcement of Oct 7, 42, WFSt has requested proposals from Foreign Office/Abw. and from WR for an executive order.

The *proposal* of the *Foreign Office Abw* will be submitted as Appendix 1.

Opinion of WFSt:

The proposal is not in accordance with the above mentioned radio announcement and is too strongly influenced by considerations of the own interests of the Foreign Office/Abw. and particularly Abw. II, sections.

The Chief of WR has made a statement to the effect that the order was to be drawn up in such a way that it will take into account the own interests while considering the future conduct of the war. In this way he wanted to avoid repercussions which would counteract our further intentions. Sabotage is an essential part of conducting war at a time of total warfare; we ourselves have strongly developed this method of fighting.

[Handwritten remark: "But the English are much more in need of it." Jodl]

However, to draw up such an order it is necessary to clarify preliminary questions which he could bring up in oral discussions only; if possible, in the presence of the Chief of the Foreign Office/Abw. at WFSt. A telephonic discussion would be out of question because of the necessary treatment of future intentions.

Only then could a statement be issued to the troops as to which sabotage troops should be regarded as bandits.

Opinion of WFSt:

The intention to dispose in the future of all terroristic and sabotage troops which behave like bandits has been *already made public over the radio.*

The task of the WFSt therefore consist only of giving such *directives for execution* as to how the units should deal with terroristic and sabotage units.

The question of the *promulgation* of this order, as it was brought up by the WR, needs not be followed further, since the announcement of the basic principle in the Wehrmacht report of Oct 7 should already be sufficient for purpose of intimidation.

WFSt therefore suggests the order appearing under Appendix 2.

Warlimont.

Appendix 1

Copy by way of Extract

From Teletype KR — 10 Oct. 42, 14.30 o'clock
GWOKA 02822 — arr.: 10 Oct, 16.25
To WFSt

Re: Treatment of British terroristic and sabotage units.

A. Members of terroristic and sabotage troops of the British Army who are found, contrarily to the rules of warfare, without uniform or in German uniform will be treated as bandits. During fight and when fleeing, they are to be shot without mercy. If military necessities will call for their temporary arrest or if they fall into German hands outside of military actions, they are to be led at once before an officer for interrogation. Thereafter they are to be court-martialed. [Jodl's handwritten remark: "No".]

B. Members of terroristic and sabotage units of the British Army who, in uniform, are, in the opinion of the unit guilty of dishonorable activities or of activities contrary to international law, are to be put under military confinement after their capture. WFSt has to be immediately notified about their actions. Directives about their treatment will be issued by WFSt in accordance with WR and the Foreign Office/Abw. [Handwritten remark: "That doesn't go either. Jodl".]

OKW Foreign Office/Abw.
No. 00381/42 Top Secret Copy 1 G 1 b(5).

Top Secret

Appendix 2
Fuehrer Hq, the Oct. 1942

Chief of the High Command of the Army. Copies
No. 00 /42 top secret WFSt/Qu. (Adm.) .Copy

1. In the x- appendix to the -x Wehrmacht report of Oct 7, 42 it has /already/ been announced that in the future all terroristic and sabotage units of the British and of their associates who do not act like soldiers but like bandits will be mercilessly exterminated in fight.

2. The behavior x- of terroristic and sabotage units -x has to be x- always -x assumed to be contrary to the rules of warfare when /attacks of/ single x- aggressors as -x saboteurs /take place who, contrarily to the basic rules of warfare, while killing single persons or annihilating property of high value/ or agents, regardless whether as soldiers and irrespective of the kind of uniform, commit attacks of acts of violence which, in the judgment of the unit, differ from the basic rules of warfare and thus place themselves outside of the rules of warfare.

3. In these cases the aggressors are to be annihilated to the last man x- while fighting or fleeing -x without mercy.

4. x- If military necessities call for a temporary arrest of single participants, then, after their military questioning, they are to be handed over to the SD in principle -x. Confinement in PW camps is prohibited x- even temporarily -x.

5. This order is not to go beyond army level; from there on

to lower echelons is to be announced verbally. The order has to be destroyed after acknowledgement.

[Note: x-...............-x indicate additions in pencil.
/................/ indicate word or words crossed out in pencil].

---

14 Oct 1942

WFSt / Qu. (Adm.)

Re: Fight against enemy sabotage troops.

Note

Following an order, a draft for an order is herewith submitted about the fight against terroristic and sabotage units. A draft about the counterproposal of the Foreign Office/Abw is contained in the teletype of Oct 10 with handwritten corrections according to the teletype of Oct 13.

In agreement with the Chief of the WR it is pointed out that attached order can have repercussions which can counteract our interest as to the future conduct of the war.

Reasons:

Sabotage has become an essential part of warfare in the age of total war. In this respect it is sufficient to point out our own attitude. Proof can be gathered by the enemy from reports of our own propaganda companies.

Therefore, in agreement with the Chief of the WR, the motion is made to hold a discussion at the WFSt, at which the Chief of the Foreign Office/Abw., the representatives of W.Pr. and WR should take part in order to ascertain in a statement to what extent can the goal be reached to fight efficiently against the sabotage warfare of the enemy without considerably impairing our own effort. In the meeting the points should be discussed which appear in the appendix. Telephonic discussion is not feasible because the answers to the questions under discussion would permit conclusions to the further intentions about the conduct of the war. The Chief of the WR does not expect any progress from a preliminary discussion with the Foreign Office/Abw.

With this view in mind to prevent the enemy's fighting the war by using sabotage troops, following questions have to be clarified before formulating an order:

(1) Do we ourselves have the intention to commit sabotage units in the zone of rear echelons of the enemy only, or also far back in the zone of interior?

(2) Who will commit more sabotage troops, the enemy or we?

(3) Can we establish the principle: Sabotage units do not conduct legal war; they are to be exterminated in the fighting without mercy?

(4) Do we attach importance to arrest first the single members of this group for interrogation by counterintelligence and not kill them immediately?

Top Secret

14 Oct 1942

WFSt / Qu. (Adm.)
Re: Fighting against enemy sabotage units.

Note

Following the radio announcement of Oct 7, 42, WFSt made proposals for an executive order of Foreign Office/Abw. and of WR.

The proposal of the Foreign Office/Abw. will be submitted as Appendix 1.

x- Opinion of WFSt: The proposal -x is not in accordance with the above mentioned radio announcement and is strongly influenced by the own interests of the Foreign Office/Abw., particularly Abw. II.

The Chief of WR has expressed the opinion that /from the standpoint of the aim to prevent the enemy warfare by use of sabotage troops/ he would /issue/ draft an order in such a way that it should /extensively/ take into account our own interests with regard to the future conduct of the war. In this way he wants to avoid repercussions which could counteract our further aims. Sabotage is an essential part of the conduct of war in the time of total war; we ourselves have strongly developed this method of warfare. Only then could /he/ one give an explanation to the troops what sabotage units should be regarded as bandits.

Opinion of WFSt:

The intention to annihilate all terrorists and sabotage units in the future which behave like bandits, has been already made public over the radio. /The deserving effect would be this basically achieved/. Therefore the task of the WFSt would be only to issue directives as to how the troops are to act against terrorists and sabotage units.

The question about the publication of this order which was raised by WR needs no further discussion since the publication of the principle x- published in the Wehrmacht report of Oct. 7. As far as the intimidating effect goes -x should already be sufficient.

WFSt therefore proposes the order as submitted in the appendix. (Appendix 2.).

W.
[Warlimont]

Note: x-..............-x indicate additions in pencil.
/................/ indicate word or words crossed out in pencil.

TRANSLATION OF DOCUMENT 1265–PS

TELEGRAM

Communication Office	Nr.	13 Oct. 42
GWEHL	06262	14:15 hours

TOP SECRET

KR WOKA 02901 13 Oct. 1253
TO: Armed Forces Operational Staff/QM/Administration (WFSt)
Armed Forces Operational Staff/QM/PW Affairs (K)

TOP SECRET

SUBJECT: Treatment of PWs

To the discussions and measures which were announced by the High Command of the Armed Forces, 7 Oct. 1942, the following collective stand was taken.

(1) Shackling: Shackling is permitted within the realm of military necessities, and is therefore neither dishonorable nor inhuman.

(2) Treatment of sabotage units: sabotage units in uniform are soldiers and have the right to be treated as PWs. However, sabotage units, dressed in civilian clothes or in the uniform of the German soldier, have no right to be treated as PWs (armed insurgents).

(3) Reprisals on PWs: Reprisals on PWs, according to the PW agreement ratified in 1934 are absolutely not permitted. The English counter measures, for that reason, are also contrary to international law. The Foreign Office is in agreement with this opinion.

(4) Offers for adjustment by the International Red Cross or by the Swiss Government should be accepted according to the opinion of the Department.

(5) Announced report on the British treatment of PWs.

It is requested that during the drafting of the report that these opinions already mentioned in paragraphs I-3 form the basis, since they are in our own interest.

(6) To avoid difficulties before the release of such important basic information, the prompt participation of the Department of Foreign Affairs with the Counter Intelligence service is requested.

(7) Referring to telegram Nr. 00381/42 TOP SECRET AUSL, Roman numeral I B 5, dated 10 Oct. 42 and the telephone conversation with Major Kipp concerning numbers 1, 3, 4 as well as the proposal to number 4 and that was mentioned over the telephone.

(WR and AWA/PW Department to receive message) Supreme Army Commander/ Office of Foreign Intelligence AUSL Nr. 1531/ 42 TOP SECRET AUSL Roman Numeral I (B5) (signed) CANARIS

CONFIDENTIAL

15 Oct. 42

WR
133/42 TOP SECRET (III/10a)
TO: Armed Forces Operational Staff WFSt (previous telephone conversation)
For the information of: the Foreign Intelligence Office
SUBJECT: Treatment of PWs
REFERENCE: OKW/Amt Ausl/Abw.Ag.Ausl.Nr.1531/42 TOP SECRET Ausl.I (B5) v.13 Oct.42

In reference to (1): To be inserted: "As an exceptional measure in an emergency"

In reference to (2): It is fundamentally agreed. Perhaps in special cases the following ideas may be represented:

Battle methods as they are today and as they should be combatted, came into being long after organization of the HLKO, especially thru aerial warfare; it is especially necessary to note the large usage of Paratroopers for sabotage purposes. Whoever performs acts of sabotage as a soldier with the idea in mind to surrender without a fight after the act is successfully completed does not conduct himself as an honorable warrior. He *misuses* the rights of article 23c HLKO since such methods of warfare had not been thought of at the time this article was formulated.

The misuse lies in the speculation of surrendering without a fight after a successful sabotage mission. The concept of inadmissiblity of these sabotage units is one of unrestrained advocacy, unless we prevent it ourselves.

(3): WR does not agree completely to this.

Reprisals on PWs must be permitted after very serious infractions on the part of the enemy in their treatment of PWs. If the enemy would shoot for example 10,000 German prisoners of war, the untenableness of the theory governing the prohibition of reprisals would not be doubted. One can not deliver oneself for better or for worse to the enemy by the renunciation, based on principle, of reprisals. The sentence on the mutual obligations in case of a treaty is too obvious in that it could be simply eliminated by the Article 2, par. 3 of the agreement on PWs. In case it became necessary, the best thing to do would be to declare this without bothering to submit reasons.

(signed) LEHMANN

TRANSLATION OF DOCUMENT 1266–PS

Top Secret.
Recd from: GWOKA. day: 13/10. time 14.15 by [signature] + KR
Woka 02901. 13/10 1253.
To Ops Staff of the Wehrmacht/QU/Administration-Ops. Staff of the Wehrmacht/QU/K. 2 Addresses.
Top Secret.
Ref: Treatment of Prisoners of War.

Regarding the notice dated 7-10-42. issued by the O K W—The following attitude in abbreviated form is taken regarding the discussions and measures which have been commenced.

1. Chaining: Chaining is admissible within the framework of military necessity, as then it is neither dishonourable nor inhuman.

2. Treatment of Sabotage units: Sabotage units in uniform are soldiers and have the right to be treated as prisoners of war. Sabotage units in civilian clothes or German uniform have no claim to treatment as prisoners of war (francs tireurs).

3. Reprisals against prisoners of war: Reprisals against prisoners of war are absolutely inadmissible according to the prisoner of war agreement ratified in 1934. The British counter measures are therefore also contrary to international law. This conception is shared by the Foreign Office.

4. Officers of mediation by the International Red Cross or by the Swiss Government should, in the opinion of this department, be accepted.

5. The memorandum announced regarding the treatment of British prisoners of war:

It is requested, when drawing up the memorandum, to base it on the concepts laid down in pars. (1)-(3), as these lie in our own interests.

6. In order to avoid difficulties it is requested that, before publishing such important and fundamental announcements, the Foreign Dept Counter Intelligence be consulted in good time.

7. We refer to teleprint No. 00381/42 Top Secret, Foreign Dept. I B5 of the 10.10.1942 and the telephone conversations with Major Kipp about pars. (1), (3) and (4), as well as the proposal with regard to par. (4), passed on by telephone. (Wehrmacht Legal Department and Foreign Office—P.W. Dept have O K W Foreign Department Counter Intelligence AG. Foreign Dept No. 1531/42 Top Secret Foreign Dept. I (B5)

Signed: CANARIS.

WR [Legal Department of the Armed Forces]
133/42 Top Secret (III/10a) 993/42 Secret

15.10.42
Wer Wolf.

Secret

To: Operational Staff of the Armed Forces/Qu. Admin/(in confirmation of telephone conversation)

[*Pencil note:*]
On 15.10.19 [sic] "Written note of telephonic communication to Chief of Operational Staff of the Armed Forces through G IV
[signature illegible]
18.10 Fuehrer has issued the decree.
[initialed by same as above]

For information to:
Foreign Dept/Counter Intelligence.
Subject: Treatment of prisoners of war.
Ref: Supreme Command of the Armed Forces/Foreign Dept/Counter Intelligence.
Ag. Foreign Dept. No. 1531/42 Top Secret
Foreign Dept. I (B 5) of 13.10 1942.

As regards (1) "As an extraordinary measure in case of emergency" is to be inserted.

As regards (2) Agreed in principle. But the following train of thoughts can perhaps be put forward for special cases:

The methods of waging war which are now available and which are to be prevented, only came up long after the Hague regulations governing land warfare were created, in particular as a result of aerial warfare. The large scale employment of parachutists for purposes of sabotage must here be pointed out in particular. Now, whoever commits acts of sabotage as a soldier, with the intention of surrendering without a fight afterwards, does not behave like an honest fighter. He *misuses* the right of article 230 of the Hague land warfare regulations during the drawing up of which such methods of warfare were not had in mind. *This misuse lies in the speculation of surrendering without a fight after successfully carrying out sabotage.*

The conception regarding the inadmissibility of sabotage detachments can be supported without qualification if we make it apply to ourselves also.

As regards (3) The Wehrmacht Legal Dept. does not agree without limitations.

Reprisals against POWs must be admissible in the case of very serious violations by the enemy in the treatment of POWs. If, for instance, the enemy was to have 10,000 German POWs shot, then the untenableness of the thesis of the ban without exception on reprisals could hardly be doubted.

[Marginal note in Jodl's handwriting: "Quite right."]

One cannot surrender to the enemy for better or for worse by renouncing reprisals on principle. The statute regarding the *mutual* obligation to keep a treaty is so obvious that it cannot be simply eliminated by article 2, paragraph 3 of the POW agreement. If necessary, it would be best to state this without offering any reasons for it.

[signed] LEHMANN.

17 April 1943 RK 4944 C/st Enclosure

The deputy for the four year plan
The deputy for the mobilization of
labour Dep'ty Gn'l SAUCKEL/we

Berlin 8w, April 14, 1943
65 Mohrenstrasse
(Thuringia house)
Telephone 126571

Next laid before
Mr. States
Secretary 17/4

To the Chief of the Reich Chancellery
Mr. Reich Minister Dr. Lammers,
Berlin 8 W, 78 Wilhemstrasse

HONORABLE Mr. Reichminister
Dear party comrade Dr. Lammers!

I ask you to take notice of the attached report which I have rendered *to the Fuehrer,* before my journey to Russia.

HEIL HITLER!
Your
Signed: FRITZ SAUCKEL
[In ink]

Enclosure
War 21

125E1

The Deputy for the four-year plan, The Deputy General for the mobilization of Labor.—Sckl./We.

April 14th, 1943

To the Fuehrer
Obersalzberg

My Fuehrer:

As we have been told by Lt. General [Gruppenfuehrer] Bormann already, I am going to the Eastern territories on April 15th, in order to secure in the coming months one million workers from the East.

The result of my last trip to France is that after exact fulfillment of the last program another 450,000 workers from the Western territories will come into the Reich, by the beginning of summer. With the probable use of about 150,000 workers from Poland and from the other territories it will then be possible, to put 5–600,000 workers at the disposal of the German agriculture again and 1,000,000 workers at the disposal of the armament and other war industries; this will be done by summer.

I ask for your approval to have the new French workers come into the Reich under conditions similar to those of the last group. I have negotiated with the High Command of the army.

Since the big majority of the Belgian civilian workers and of the prisoners of war is doing a very satisfactory job, I ask you to approve a statute for about 20,000 Belgian prisoners of war similar to the one you have granted to the French. That great concession of yours has made a big impression upon Laval and the French ministers. Laval asked me again and again to give you, my Fuehrer his sincerest thanks for that.

(1) After having been active as plenipotentiary for the Arbeitseinsatz for one year, I have the honor to report to you that 5,638,056 [figure is not clear] now foreign workers have been added to the German war economy between April 1st of the last year and March 31st of this year.

Generally speaking these workers have done a satisfactory job. Their feeding and housing is settled and their treatment regulated in an undisputable way. In that respect, too, our national socialist Reich presents a shining example compared with the methods of the capitalist and bolshevik world. Of course, occasional mistakes and blunders cannot be avoided. I shall always try with the greatest energy to keep them at a minimum.

Besides the foreign civilian workers, another 1,622,829 prisoners of war are employed in the German economy.

(2) The 3,638,056 [?] workers come under the following branches of the German war economy:

Armament	1,588,801
Mining	163,632
Construction	218,707
Transportation	199,074
Agriculture and Forestculture	1,007,544
Other branches of economy	480,298

Besides the foreign workers 5 millions male and female German workers were added to the German war economy proper. They were taken from factories unimportant for the war production, and were put into plants important for the war production by means of retraining etc.

All the efforts were necessary to take care of natural fluctuations; such changes are caused by death, illness, termination of contracts, violation of contracts, but especially by draft into the armed forces and by the moving of plants into other districts. Furthermore, these efforts were necessary to make possible the enlargement of armament plants, the starting of new factories, and the fulfillment of new programs.

(3) The results of the general registration for both men and women were as follows by April 7.

As a result of the ordinance of January 27th 1943 3,249,743 men and women registered.

This is not the final result.

The number of men is	553,415
The number of women is....................	2,696,326

About 52% (which means 1,851,771) of these registrations have been processed by the workers offices [Arbeitsaemter] up till now.

Only 32.5% of the men processed at this point can be used in the Arbeitseinsatz, as most of them do not come up to the set standards, due to old age or illness.

Up to the present time have been used..	66,006	men
Up to April 7th were employed.........	732,489	women.

This result must be called outstanding, however, 44% of these women work less than 48 hours weekly, due to conditions at their homes. Of these laborers the armament industry proper got 20,670 men and 341,100 women.

Some 130,000 could be put at the disposal of agriculture and the others at the disposal of the armed forces, postal system; railroads etc.

(4) The measures of the Minister for Economy in the Reich to stop certain work concerns 76,644 persons—27,218 of them are men and 47,426 women—most of them overage. Therefore, only one third could be put at the disposal of the economy; namely, 10,108 men and 17,929 women.

Of these the armament industry received 5,258 men and 8,621 women.

The rest were distributed to the other branches of war work and to the armed forces.

(5) The requests of the armament industry for male and female workers and the allotments which that industry got between December 1942 and the end of March show the following results:

Requests			*Allotments*	
December 1942	total	335,000	250,000	
January 1943			172,000	
February 1943			235,000	
March 1943		225,000	total	657,000
Replacements for draftees taken from the armament industry		240,000		450,000
		800,000		1,107,000

The figures for March contain 320,000 men and women from the obligatory registration action.

Since I will be in the Eastern territories on April 20th, I ask you, my Fuehrer, to accept in advance by personal congratulations along with those of my family and my district.

Let me assure that the district [Gau] of Thuringia and I will serve you and our dear people with all our strength.

It is my sincerest desire that you, my Fuehrer, will always enjoy the best of health and that we ourselves can serve you to your full satisfaction.

Your faithful and obedient
signed Fritz Sauckel

TRANSLATION OF DOCUMENT 1296-PS

The Commissioner for the Four Year Plan.
The Plenipotentiary General for Manpower.

Berlin W 8, 29th July, 1942.
Mohrenstr. 65.

To the Reich Minister and Head of the Reich Chancellery,
Party member Lammers,
Berlin W 8.

Dear Reich Minister,

I am taking the liberty of sending you the enclosed copy of a report to the Fuehrer and to the Reich Marshal of the Greater German Reich for your information.

Heil Hitler.
Yours faithfully,
[Signed] Fritz Sauckel.

The Plenipotentiary General for Manpower.

Berlin, 27th July, 1942

Strictly confidential.

G.Z Va 5780/1644

Employment of Foreign Labour in Germany
POSITION AS AT 27. 7. 1942

I was commissioned as Plenipotentiary General for Manpower on the 21.3.1942. I immediately drew up the program for carrying out this commission. As, in the negotiations with all the authorities concerned, the necessity for putting to work some 1,600,000 workers to cover the urgent requirements of the armament and food industries was shown, I made the putting to work of this number of labourers within the shortest possible time my target, as being an essential point of my program. On the 24.7.1942, this figure of 1,600,000, which was demanded of me at the commencement of my task, was exceeded. I therefore give below a short review of the numerical development of this putting to work process and the difficulties overcome in the course of it.

I. Numerical review of the putting to work of foreign labourers since 1.4.1942.

Since I received my special commission, a total of 1,639,794 foreign workers have been obtained for employment in the armaments and food industries in the Reich. These numbers are made up as follows:

(a) From the newly occupied Eastern Territories:

	April	*May*	*June*	*July*	*Total*
Eastern Workers.	110,149	273,128	324,066	264,489	971,832
Labourers from the Galician District.	20,525	17,496	9,013	61,118	108,152
Soviet Russian Ps.W.	43,074	53,600	38,335	86,000	221,009
Total.	173,748	344,224	371,414	411,607	1,300,993

The figure for July contains approximately 147,000 workers who have already been despatched to the Reich and are currently being put to work.

(*b*) Other foreign workers.

	April	*May*	*June*	*July*	*Total*
Protectorate	6,000	4,000	4,900	8,800	23,700
Gouvernement General	27,402	20,265	8,907	7,596	64,170
Wartheland	12,305	11,195	7,558	1,107	32,165
Belgium	8,000	8,000	6,200	7,900	30,100
France	7,000	7,000	5,500	11,800	31,300
Italy	14,250	28,534	8,842	4,100	55,726
Holland	5,905	12,895	8,100	4,400	31,300
Serbia	3,769	1,724	929	1,008	7,430
Croatia	1,057	2,045	4,093	4,400	11,595
Slovakia	13,324	335	1,406	200	15,265
Other Territories	13,409	7,084	9,000	6,557	36,050
Total	112,421	103,077	65,435	57,868	338,801

Total of (*a*)	1,300,993
(*b*)	338,801
Grand Total	1,639,794

II. Difficulties of recruitment and putting to work.

The large scale putting to work of such enormous numbers of workers necessarily taking place within the shortest possible time, was only possible after overcoming countless difficulties. These could only be mastered thanks to the support of all party, military and civil authorities concerned. The result was achieved mainly through the increased employment of Eastern workers, and it was therefore particularly in connection with them that all difficulties had to be mastered.

The *transportation* of several hundred thousand Eastern workers per month was only possible after I had ordered that the transport to be provided was to be tripled and after the transport chief and the Reich Minister of Communications had made the corresponding transport space available. This space was made use of for the transportation both of civilian workers and of Ps.W. The question of feeding and guarding these transports had to be settled with the authorities concerned in the shortest possible time.

The danger of infection, particularly through spotted fexer gave rise to particular difficulties. Far reaching sanitary preventive measures had therefore to be taken. Thus I ordered a *threefold disinfection*—in the recruiting area, on crossing the frontier in the Government General and in the collecting camps of the provincial labour offices. For this purpose hundreds of installations—collecting camps, disinfection installations, examination offices etc—had to be prepared or newly constructed with great speed. In this particularly the Wehrmacht with its installations and medical officers readily supported me.

The problem of billeting the labourers in the factories also had to be solved very quickly. The construction of approximately 300,000 new dwellings is in full swing. For the transitional period, I have ordered the procurement of emergency billets through the labour offices, in sheds, factories and halls with the assistance of the Reich Minister for Ordnance, the Reich Labour leader, the Reich Minister of the Interior and the German Labour Front. The assuring of food supplies (storage of winter supplies), clothing and the fitting out of the camps, the procuring of fuel, etc., have been begun.

The *conditions for the employment of Eastern Workers* have been examined and, on the basis of experience, in the decree of the council of Ministers of the 30.6.1942, have been improved. In this, apart from an improvement in wages, with special regard to the principle of performance, arrangements for *savings books and savings stamps for the Eastern Workers* have been made.

As for *regulating food,* I started from the assumption that this must be sufficient for ensuring a useful output of work. In negotiations with party member Backe, an improvement in rationing scale has already been achieved.

The general principles with regard to police and counter-intelligence treatment and welfare have been created on a practical basis in negotiations with the Party Chancellery, the Reichsfuehrer SS, the OKW, the Propaganda Ministry, the Ministry for the East and the German Labour Front.

Extensive measures have also been taken as regards propaganda. Apart from a proclamation to the *Eastern workers* which is being distributed to the extent of more than 2 million copies as leaflets and posters, the *memorandum No. 1. for factory managers* is to begin with being distributed in 200,000 copies to all factory managers, and 2 million copies of the *memorandum No. 1 for Eastern Workers* to all Eastern Workers. Further, *three newspapers for Eastern Workers* (Ukrainian, Russian and White Ruthenian) are being distributed in all camps, and *wireless* and *films* are also being brought in according to a plan.

Particular difficulties were caused by the *seizure* and *recruiting* at short notice of hundreds of thousands of such workers in the former Soviet territories. Not only *spotted fever,* difficulties resulting from *frost* and the *cold* and from the *period of mud* and the defective state of communications made the recruitment extremely difficult, but also the difficulties arising from the *passive* and *open resistance*, the *mistrust* of the population, contaminated by communism, and the *counter-propoganda* which was carried out according to a plan. The difficulties were particularly increased by the ever growing *guerrilla activity.* Finally many difficulties had to be overcome which resulted from the fact that, in the occupied Eastern territories the local needs for tasks of importance to the war had to be increasingly safeguarded, apart from the recruitment for the Reich.

Last but not least, let me mention the extraordinary performance which had to be done by all the offices of the administration for the employment of labour up to the labour offices, in cooperation with the offices concerned, especially also with the party offices, to ensure that the result of the recruiting was carried out. I have also sent special recruiting commissions to the East from the personnel of the Reich German Labour Offices. These 700 men or so have done their duty fearlessly and tirelessly in cooperation with the local offices, especially with the labour authorities in the East, in spite of all difficulties and often under enemy fire. In this connection it must be particularly stressed that the people concerned were skilled workers, who, because of the calling up of the younger classes to the armed forces, were in the majority of an advanced age, most of them being already over 50.

Experiences in the employment of Eastern Workers have, on the whole, been satisfactory, both as regards their behavior and their output. As, owing to the economic structure of the Eastern area, there is a preponderance of workers from the country, I have introduced planned *measures for training them for work in armament factories.*

The recruitment of Eastern workers will be further continued by me in so far as it is at all possible. The *recruitment of domestic servants* for lightening the burden especially of large families, will also be commenced now.

III. The employment of Soviet-Russian Ps.W.

Apart from the employment of civilian workers, I have increased the employment of Soviet Russian Ps.W. in conjunction with the OKW department for Ps.W., as planned. In this, I have particularly worked for sufficient *food and a speeding up of transportation.* The transports coming from the front are examined in the Ps.W. base camps of the Government General by my special commissioners to determine their professions and are then sent on to the Reich for Employment. Amongst the Ps.W. captured this year there are relatively many *skilled workers* and workers suitable for *employment in the mining industry.*

I therefore attach particular importance to the further increased and speeded up transport of the largest possible numbers of Ps.W. from the front to employment in the Reich.

IV. Employment of other foreign workers.

Although the centre of gravity of my activity lay in the field of the employment of Eastern workers, the endeavours to obtain workers from other recruiting areas (Warthegau, Government General. Protectorate, occupied areas and friendly and neutral countries) were continued with emphasis. Through increasing the recruiting, 338,801 foreign workers were enlisted since the 1.4.1942 apart from the Eastern workers, and were conveyed into Reich territory.

V. Total review of the foreign workers and Ps.W. employed in Germany at the present moment.

In conclusion, I give the following total review of the foreign workers and Ps.W. at present put to work in the Reich.

(*a*) Newly occupied Eastern territories	1,148,000
(*b*) Other recruiting areas	2,400,000
(*c*) Ps.W.	1,576,000
altogether	5,124,000

[signed] Fritz Sauckel.

TRANSLATION OF DOCUMENT 1321–PS

COPY

High Command of the Army Az 66 b 9919 Wi Rue Amt /RU Vb/Ro Im Nr. 5064/40 g

Subject: Directives for the shipping of raw materials and tool machines from the occupied territories.

* * * * * * *

(*b*) Confiscated goods. 5

Raw materials, half finished and finished manufactured goods, which are not, in the possession, or property of the army of the enemy, but which are to be made available to the industry of the Reich because they are needed, are to be considered seized goods. A receipt is to be given to the owner or respectively the possessor about the kind and quantity of the seized goods, at the time of the shipping of the seized goods. The release of the military administration is necessary for the moving of seized goods. Requests are to be addressed to the Chief of the Military Administration, France, Economic Dept. (Raw Material Dept.)

SECRET

Paris, 13 January 1943.

DBA II/1 Hg/Bt.
Br. B.N: 28/43 g) [in pencil]
Nr. 3)

MEMORANDUM concerning the second Sauckel action, Meeting at the Military Commandant's in presence of Gauleiter Sauckel, 11 January 1943, 16.00

Present among others:
Military Administrative Bureau Chief [KVCh] Dr. Michel, Superior Military Administrative Councillor [OKVR] Dr. Kohl from the Military Commandant's Office, Gauleiter Sauckel, President Ritter, Dr. List, from the Office of the Commissioner-General for Labor Commitment, Major General [Lt. Gen.] Barckhausen, Lt. Col. Dr. Becker, Dr. Boesebeck, from the office of the Chief of the Armament Staff, Major General [Lt. Gen.] Weigand, Colonel Gerhard, Lt. Col. Dr. Doescher, from the armament industry, Major Ahlborn, Major Henning, from the DBA.
Colonel Keller, Central Armament Command and gentlemen from the Armament Commands East and West.

Military Administrative Bureau Chief [KVCh] Dr. Michel welcomes the persons who are present and states that the first Sauckel project has been fulfilled in its essential parts; not at the set time, though, but by the end of 1942. He promises active cooperation for 1943, too.

Gauleiter Sauckel: He, too, thanks everybody for the successful carrying out of the first project. He states that he has to announce further serious measures already now, right after the beginning of the new year. There is a new, large need for more men both for the "front" and for the armament industry in the Reich. Several sectors on the Eastern front would have to be replaced by German divisions or would have to be bolted off; their Allies did not lack bravery, but were not sufficiently well armed and helpless against the Russian heavy tanks. The new divisions would have to be armed first, and that with more and more strong tank-penetrating weapons. For that reason, in addition to the labor conscription of all childless women and eventually possibly all women with one child, it had been considered to draft all 15-year-old boys and 17-year-old girls for the signal corps and antiaircraft units. The situation on the fronts requires *the calling to the colors of 700,000 soldiers fit for front-line service;* for this purpose, the armament industry would have to drop 200,000 key workers by the middle of March. He declared *to be* *in possession of the Fuehrer's order to get for this purpose 200,000 good foreign skilled workers as replacements* by that time and would need 150,000 French specialists for that while the remaining 50,000 would be extracted from Holland, Belgium, and other occupied territories. In addition he had to request another 100,000 unskilled French workers for the Reich. By the middle of March the second French project would have to transfer 150,000 skilled workers and 100,000 unskilled workers and women from all of France to Germany. He said he had the Fuehrer's order and the agreement of Reich Minister Speer for it.

[Remark at the end of page 1, written in pencil]: BDC-GOTHA-Enclosure No. 2 to the war diary of the DBA—first quarter of the year 1943.

Both Sauckel and Speer have admitted that the armament production in the Reich would decrease somewhat for a short time by the calling in of the essential workers and that, as a consequence of the removal of skilled workers, one has to be prepared for the same thing in France, too. But, as according to his estimate there are another 450,000 skilled metal workers left, the removal of 150,000 should be possible without closing down any production really important for the war. The Commissioner-General for Labor Commitment will see to it that the plants will have put two unskilled workers for training at their disposal for each removed French skilled worker.

Principle of propaganda towards the French: "The only life insurance for European men and women of nations not fighting on the front, is working for German armament".

The "relive" in the proportion of 1:3 would continue. Furthermore, the Fuehrer intends to grant easier conditions to 250,000 French prisoners of war in Germany, if the second Sauckel action would be carried out in the time set; he also intends to give them the permission to receive visits by their wives or relatives, for two weeks yearly for each prisoner. The total number of 1,200,000 prisoners of war could not be relinquished, because the Fuehrer needs them as Hostages [Faustpfand]: a general leave of absence is not feasible either.

For the carrying-out of the project *Screening Commissions* [Auskaemm-kommissionen] are to be formed, *consisting of representatives of the Commissioner-General for Labor Commitment* and of the armament offices.

Military Administrative Bureau Chief [KVCh] Dr. Michel hopes that the negotiations agreed upon with Laval for the following day will lead to support of the project by the French government. In any case, all plants of Industrial economy will have to be combed out very much, in so far as they are not armament or V-plants.

Major General [Lt. Gen.] Barckhausen: The armament offices would have to take cognizance of the situation pictured by the Gauleiter and accept the task; they would have to cooperate that the removal of skilled workers would be carried out with minimum damage to the armament potential and that a crucial industrial [Schwerpunktfertigungen] production would be spared as much as possible. That is why he asks the Commissioner-General for Labor Commitment to exhaust all other sources fully, which means:

(1) The extensive exploitation of the newly occupied territory; after all, it must be possible to get a considerable number of workers out of it in two months.

(2) Strong shift [Umlage] to plants without armament production.

(3) Radical shut down of inefficient or not absolutely vital plants.

(4) Utilization of discharged French soldiers.

(5) Catching of fugitives from the first project.

Furthermore, he doubts the accuracy of the figure of 450,000 skilled workers allegedly still left.

Major General [Lt. Gen.] Weigand states to that point that there are only 180,000 skilled draftable workers at hand at the present time.

Gauleiter Sauckel: Of course, the armament production working for Germany must be protected as much as possible. But the denting of the armament production in the Reich is caused precisely by drafting of the 200,000 key workers, after all. And under no circumstances could more consideration be granted in France than in the Reich. Besides, the plants would be filled up again, anyhow, by replacing 1 skilled worker with 2 trainees.

It is regrettable that the whole process of change-over has not been carried out earlier. The French government consists of procrastinating artists. As the negotiations with the French government were started already last spring, the first 250,000 workers could have arrived in Germany in the set time, namely by fall. In that case, it might have been possible to draft the essential workers in the Reich earlier and to set up new divisions and so the cutting off at Stalingrad might not have happened. In any case, the Fuehrer is now ready for anything, perhaps even to govern France without a French government.

Major General [Lt. Gen.] Barckhausen again recommends to carry out the action energetically especially in Southern France;

there the local industry is not being utilized as much for German armament than in the originally-occupied territory.

Gauleiter Sauckel agrees to that, but states that the originally-occupied territory must also again be combed out, in order to carry out the whole project. Due to the shortage of coal, electricity, and raw material, full use is not made of the local workers. He had been told, that after the removals of the first Sauckel action only 5,000 trainees have been requested by the plants as replacements for the time being.

Major General [Lt. Gen.] Barckhausen corrects this mistake. Requests for 25,000 workers have already been processed; these requests are from one-sixth of the armament plants. Furthermore, the plants were requested to exhaust all possibilities within their own limits first. Partly, the plants helped themselves by recruiting relatives and friends of workers.

Gauleiter Sauckel: That would speak in favor of the removal of the French skilled workers. There is no more possibility of replacements within the Reich, while here it will still be possible to replace 1 skilled worker with 2 trainees.

A discussion about the *training measures* follows. Major General [Lt. Gen.] Barckhausen requests an injunction imposed on plants in order to carry out the training. Mr. De la Roche declares that the question of an allowance by the French Minister of Finance has already been settled. General Weigand asks, who is going to pay the second substitute worker. Major Ahlborn declares that the plant should be in a position to include him in the payroll calculation.

Gauleiter Sauckel emphasizes that unanimity would of course have to prevail in the Screening Commissions between the representatives of the Commissioner-General for Labor Commitment and the Armament Offices, also in regard to the rejection of the objections made by the central agencies. In any case, Speer had told him: *"Get me the men as fast as possible; every objection will be overruled!"*

Major General [Lt. Gen.] Weigand emphasizes that it is only natural that German armament production in France will decline considerably. Major Ahlborn, like Major General [Lt. Gen.] Weigand, estimates the decline in production at about 33% up to now.

Military Administrative Bureau Chief [KVCh] Dr. Michel brings up the question how far compulsory labor service is intended for entire younger age groups and how far it would be politically tolerable; up to now the removal was carried out mainly from the plants alone.

Gauleiter Sauckel says that the 100,000 unskilled workers and, if possible, also the 300,000 trainees, should be called in according to annual age groups.

Military Administrative Bureau Chief [KVCh] Dr. Michel confirms, that the legal basis exists in the Compulsory Labor Service law.

Major General [Lt. Gen.] Barckhausen requests to exempt the armament and V-plants from the drafting of young age groups, and to refrain from instituting a system of draft deferments because of essential positions in the war effort, a system that could not be handled by the Armament Offices, due to a shortage of personnel.

The Chairman of the Armament Commission in Thuringia is asked for his opinion by Gauleiter Sauckel. He describes the great difficulties which were caused in the Reich by the drafting of the relatively small number of key workers in January. The reason for that is that the essential workers are either foremen for groups of foreigners or otherwise almost indispensable. The change-over and training measures were carried out in the Reich with energy; however, plants existed there also which did not show too much willingness to cooperate and, in any case, wanted to train unskilled workers for their requirements.

Gauleiter Sauckel describes the immense enthusiasm of the German armament workers who worked almost day and night on Christmas, in order to rebuild captured 7.5 cm guns into anti-tank guns.

Major General [Lt. Gen.] Barckhausen says, that there it is a question of patriots but here Frenchmen are concerned whose ideals are not on our side.

Military Administrative Bureau Chief [KVCh] Dr. Michel: General von Stulpnagel wishes to carry out the project as much as possible in cooperation with the French government. Up to now an outspoken passive resistance could be avoided, and it will have to be avoided under all circumstances in the future too.

At the end, Gauleiter Sauckel, Military Administrative Bureau Chief, [KVCh] Dr. Michel, and Major General [Lt. Gen.] Barckhausen again agree on the immediate meeting of a committee which is to issue regulations for the Screening Commissions.

[signed in pencil] Henning

COPY

Armament Inspection France of the Reich Minister for Armament and Munition
B 2, Nr. B 39/43

Paris, January 16, 1943

To:
Distribution:

Subject: Sauckel Project January-March 1943 Screening Commissions

150,000 skilled workers and 100,000 auxiliary workers are to be recruited until March 15, 1943 from the entire French occupied territory (including newly-occupied territory, Pas de Calais and North). The results of the Sauckel Project of January 1943 (that means 37,000 skilled metal workers) will be deducted from the total request. All trades employing draftable workers will be counted in towards the total, but the main interest is for metal workers, like heretofore. About 15 to 20% of other trades will be admitted. Women are counted in but like heretofore, they can be recruited on a voluntary basis only. Dockyards remain exempted as before. The order about armament in France B 2 Nr. B 19/43 g of January 6, 1943 (priorities of the programs) remains a determining factor for the removal. Another production program which is to be treated with consideration should be added, namely the Atlantic wall.

The further raising of manpower will not be done in the manner employed heretofore, namely by a shiftover to the armament sector like the first Sauckel Project or by a regional shiftover like in the Sauckel Project of January 1943. Rather, all plants (armament, V– and other plants) are to be checked once more by *Screening Commissions.* The French territory not occupied heretofore is to be used in this project to the largest possible extent.

Screening Commissions will be formed:

(1) *One each* in the district of each regional prefecture.

(2) Ten within the jurisdiction of the Commandant of Greater Paris, with 6 of them in the district of the Armament Command Central Paris, and 4 in the district of the Armament Command Paris-East. Regulations (decree number B 33/43 of January 14, 1943) already have been issued about the setting up of district boundaries and taking over of the position by members of the Paris Armament Command.

(3) *Eight* in the territory not occupied heretofore, with six

of them in the 6 regions of the unoccupied territory, with one additional commission each in Marseille and Lyon.

In addition to these Screening Commissions, the working staffs which were formed in the individual Armament Command districts remain in existence and serve for the preparation and support of the activity of the Screening Commissions.

The Screening Commissions *are organized in the following way:*

(1) As *chiefs* one higher official of the Labor Commitment Administration who will be deputized here from the Reich for this purpose.

(2) One representative of the armament command concerned. For this the most qualified men (officer or official) are to be committed, if possible, from the Procurement Group. Knowledge of the French language is desired. To assist him and depending on the product in the plant he is supposed to check, he is joined by an expert from the jurisdiction of the Commissioner-General for Labor Commitment in France (procurement officer).

(3) Depending on requirements, one member of the Military Administration Headquarters [Feldkommandantur] concerned, provided that V– and other plants are to be checked by the Commission.

(4) A member of the French Work Commitment Administration, who, in cooperation with the Recruiting Office concerned has to take care of the designation and removal of the workers to be transferred.

For the Screening Commissions in the French territory heretofore unoccupied, experts will be taken from the armament command for a short time (about 2-3 weeks); if possible, they should come from the Procurement Group. These men will be used for the support of the Armament Control Commissions not yet experienced in the labor commitment questions of the occupied Western territories.

Besides skilled workers, the provided unskilled workers are to be procured by the commissions at the same time.

Directives for the work of the commissions are being set up rapidly by the Commissioner-General for Labor Commitment, France.

Some Screening Commissions are being created right away by the Commissioner-General for Labor Commitment, France, and will start their activity immediately, insofar as chiefs are at their disposal for that purpose.

The members of the Screening Commissions are being called to

Paris for a conference on January 23 [*]. Further instructions for it will follow.

Signed as Draft Copy Weigand
Certified (signed) [signature]

A certified true copy
Major

[illegible pencil mark]

[*"by the Commissioner-General for Labor Commitment, France", has been crossed out here.]

TRANSLATION OF DOCUMENT 1452–PS

Vol. 17—2 [handwritten]
SPEER [handwritten]
24 March 1942

K T B
Wi Rue Office/Staff

Conference of the Chiefs with the Chief of the Department

Report of the Chief of the Department on the conference on 23 March with MILCH, WITZELL, LEEB, in Minister SPEER's Office.

The Fuehrer looks upon SPEER as his principal mouthpiece, his trusted adviser in all economic spheres.

SPEER is the only one who to-day can say anything. He can interfere in any Department. He already disregards all other Departments.

SPEER wishes that all questions of Armament shall be settled solely by Rue-In, [Armament Inspectorate] which is subordinate to him and that all other tasks shall be eliminated. This will be further discussed later on.

The Head of the Department emphasizes that we must join the SPEER organisation and pull together, otherwise SPEER will go his own way. In general SPEER's point of view is purely technical.

Technical consultation with SPEER. He will not initiate any scheme which cannot be carried through to the end.

COPY

POLITICAL POLICE OF BAVARIA

B.No 17311135 I & B Munich, 27 March 1935
Briennenstrasse 50.

To the: Government of Upper Bavaria Ministry of the Interior, attention of the High Councillor to the government [Oberregierungsrat] Dittman.

Munich

Subject: Occurrences in Freising on 18 February 1935
Attachments:
1 file/folder with contents
2 copies of interrogation

With reference to the discussion with the High Councillor to the government [Oberregierungsrat] Dittman, the following information has received all the above mentioned matters:

Inquiries were made in Freising by an official of the Political Police of Bavaria, from March 11 to 16, 1935, to clear up the facts relative to incidents occurred there on February 18, 1935. In total 12 witnesses were interrogated and some of their statements vary greatly: It was not possible to determine which party had attempted to put Cardinal Faulhaber's sermon on records: Further, there was no proof whether the recording of the sermon was successful. Regens Westermayr, as well as the witnesses indicated by him, were unable, to give name or description of any of the participants. There seems little doubt that these culprits were people from out of town, as most people know each other in Freising. It was impossible to determine whether the church window was shattered for the purpose of conducting the wire into the inside of the church, as this action was not watched by anybody. In any event, it is true that one window on the further side of the church has in its left lower corner a hole the size of a hand. It is further true that a clod of glazier's putty, which showed clearly the marks of a wire, was found near this window.

As far as the occurrences in the church are concerned; according to the evidences given by all witness, there can be no talk of a general disturbance of the service and even less of a threatening of the Cardinal. When he was interrogated, Praefect H. Johann Wiesneth declared that he had talked to Cardinal Faulhaber and the latter had mentioned he had not noticed any disturbance. He knows nothing about a threatening of the Cardinal. It is true that about 100 men of the Storm Troops of Freising in civilian clothes were present, together with the Nazi Party's

Women's Organization, to listen to the sermon of Cardinal Faulhaber. Mayer Lechner, also, at the same time, is local commander of the Storm Troops of Freising, had issued definite orders to all members Nazi Party organizations not to disturb the service, not even if Cardinal Faulhaber should in his sermon contradict National Socialism. Mayer and SA Leader [Sturmbannfuehrer] Lechner indicated that he himself was present at the service on February 18, he was standing in the nave [Mittleschiff] of the Dom. Only the following day did he learn about the disturbance caused presumably by the installing of a cable. He further declared, that if he would have noticed any disturbances, he would have interfered immediately. Also he was not asked for protection from any party, although Regus Westermayr as well as the other clergyman knew that he was in the Dom.

It was difficult to make the necessary inquiries, since Police inspector Heinrich Wagner, also until a short time ago, was chief of the Police in Freising, is at present at a forced furlough, and his place of residence is unknown.

Wagner declared in his written report, dated February 2, 1935, that he was not in the Dom during the service, while several persons stated to the contrary. As Regens Westermayr had to admit in his interrogation on March 16, 1935, the statements, given in his written report, concerning his fears and anticipation are highly exaggerated and cannot be proved in details and also cannot be verified.

As far as the request made to Major Hoffmeister, Freising, regarding the employment of armed forces is concerned, considerable contradictions are noticed, for instance, in his interrogation of March 16, 1935 Regens Westermayr denies having asked Major Hoffmeister for military protection. He indicated further, that the main reason for his visit was to learn from Hoffmeister whether armed forces were really on the alert the evening of February 18, 1935; further he denies having said that the police in Freising are completely dependent upon the local Storm Troops and the city counsel also will not grant him the necessary protection. It is a fact, however, that Regens Westermayr has never asked the city police, nor the Mayor, nor the city commissioners [Oberramtmann] Heidenrich for protection. To the new evidence given by Regus Westermayr, Major Hoffmeister states that what he reported to the regiment on February 22, 1935 still stands. Major Hoffmeister declared unmistakably, that the request of Regens Westermayr, was quite clearly and obviously aimed at the employment of the armed forces for the protection of the Dom [Domberg]. Westermayr did not come to inquire if it was true that the garrison will be alerted on February 18, 1935, but solely to get assurance of employment of armed forces for the protection of the Dom [Domberg]. The fact that Regens Westermayr now denies several important parts of the report made by the major, shows clearly how embarrassed the clergyman is today about his original exaggerated report on the occurrences. Major Hoffmeister is willing any time to take an oath on his written report of February 22, 1935.

As far as the incident with glazier Hans Hiedle is concerned, it has been found that he was at no time unable to write, and that he is not interested in opening case.

On the whole it can be said that the facts about the occurrences in Freising have been very much exaggerated by the Catholic clergy in order to expose the National Socialistic city counsel.

Besides, the church has opened a case on this matter with the district court Munich II, denouncing wilfull destruction and disturbance of the service, and therefore the incidents will be investigated legally.

Reference is made to the attached copies of the protocol interrogation of Regens Westermayr and Hans Lechner.

By order

signed [signature]

Report was given by glazier Hans Hiedl, Freising, regarding the mistreatments which were inflicted upon him during the night of February 18/19, 1935. On Monday February 18, I went to the Dom to listen to the sermon of the Cardinal. When I ascended the stairs next to the Seminary, the bells rang for the people to come. I entered the church through the northern entrance and found myself a place from where I could hear the sermon and see the Cardinal. So I came to the epistle side of the altar of St. Mary. I could not advance further, as people were crowded closely around the altar. An advancing to the side of the gospels would have been hardly possible.

The reading from the testament was just over, when a noise coming from the church window on the epistle side of the altar of St. Mary became audible. A clergyman in a stall, who was on duty to keep order among the church goers in the Dom, and also, at that time, was on the gospel side of the altar, became aware of the noise, as well as many of the other faithfuls in the church, and he looked for the cause of the noise. I pointed out to him with my finger that the noise was coming from the window at the epistle side. At the same time I noticed that a cord was pulled in through the shattered church window; the lowest small square at the far east was shattered and so I added "oh, a cord"; both remarks were made in such a low voice, that the clergyman, because of the people standing in between could not hear them. At that moment a gentleman said to me if I am not quiet immediately I will be brought to Dachau. After that I kept completely quiet. Some women also had noticed the incident and had become agitated, were threatened in the same manner. It was only then that I noticed that an official action was on its way; up to then I had only suspected some kind of disturbance caused by students on the outside.

In the meantime the clergyman had succeeded in getting through the closely crowded people and had come over to the epistle side. But here he was immediately stopped.

During the sermon a gentleman asked me what my name was and I gave it to him. It was the same gentleman, also before that had attached the plug which had been pulled through the window to the left front of a gentleman standing behind me. The gentleman who had the plug attached to his front asked me to remain there after the sermon was over. However, I wanted to go home, since I had given him my name. But they kept me there telling me that I would have to go with them to the police station.

After the service three gentlemen in civilian clothes went with me to the police. They took my personal datas and then released me. I went home immediately.

At 12:30 night the housebell rang loudly, I went through the hall to the hall entrance and listened as I sometimes was notified in this manner if there was a fire alarm. As there seemed to be a fire alarm, I returned to my room to get my slippers and then I went, dressed only in trousers, shirt and slippers to the front-door and then to the gate to open and see who was there. Three men were standing on the lower door and as they advanced towards me one of them said:

"Mr. Hiedl, we need your son; AH", he added as he recognized me, "It is you yourself. You must come with us."

They lifted up my hands and felt in my trousers pocket for arms. I then wanted to return to the house to get my clothes. But they did not let me go alone: one gentleman went ahead and handed me my father's water-proof topcoat which was hanging in the hall. They did not let me have my own clothes and I had to go on my way only scantily dressed. I thought we did not have far to go and therefore did not object.

On the way they asked me:

"What did you think was the matter when the bell rang?"
"I thought that it was either the fire-brigade or the police."
"This time you do not have to go to the police station."

I knew the leader of these three men as sargeant of brigade 86 of the local Hilfswerklager (Auxiliary working camps?). He inquired further: "You must have good connections with gentlemen in the white coat up there", he meant the clergyman in the stall on duty in the Dom. He also asked what I had said to the gentleman up there. He presumed that after giving my personal datas to the police I had gone to the seminary to report about the incidents, which, however, was not the case. I declared most decidedly that I had no connections with the clergymen and that I did not report on the incident at the seminary. The leader also expressed the untrue suspicion that the fact that I was in the Dom so early seemed proved to him that I was a spy in the service of the church (Domberg). This is the reason for my declaring at the beginning of this report that I ascended the stairs of the seminary when the bells were ringing for people to come. We passed the Inn "zum Hirschen" where I had presumed the office of the Political Police was located; he went on in the direction of the RR depot then, however, along the road to Munich [Muenchenstrasse]; we crossed the railroad tracks. The idea came to me that I might be brought to Munich and I remarked to the gentlemen that in my pocket was the key for the shop and if I should not be home by morning my father would be unable to get into the shop. I was told that I would return home soon.

In the meantime we went along the street and had passed the houses on the left side of the street on the other side of the railroad tracks crossing. We then passed the last, newly built house on the left side of the street. Along on the left side of the street is a hedge, we went through that hedge in an opening and proceeded further about 15 steps inside of the hedge. The leader took a kerchief from his pocket and tied it over my mouth, he then pressed me to the ground and held me while the two others started beating me. They gave me about 15 to 20 heavy blows, from the seat down to the ankle of the left foot. The gag became loose and I screamed loudly. They then let go of me and helped me up. I was given strict instruction not to tell anybody about this incident, if I wanted to keep my business. Then he gave me a kick with his foot and told me:

"Now run home in a trot, you black brother". I was almost unable to stand up, however, I tried to advance with the good right leg while the others yelled behind me "Double time, double time."

The next morning I went to the doctors to get bandaged as I could make almost no use of my left foot.

Many sympathetic people asked me for the cause of the pain in my leg, which made me limp strongly. This is how the news of this incident got around.

This report was given to me by the Regens.

[signed].

Statement made by Mr. Rupert Mattes, custodian of the Dom at Freising, regarding his arrest on the evening of February 18, 1935.

The sermon of the Cardinal had already begun when I was asked by one of the churchgoers to go and see what kind of work was done by several men outside of the Dom at its northern side. Only after a candidate of the seminary made the same request, did I leave the church and go to the North side. I found there five or six men in civilian clothes, who seemed to be installing a transmission line. I saw the men unroll what seemed to be a conduction wire. When I asked the men what they were doing, I was immediately seized by some of them and held. I asked to see a warrant of arrest but this was refused. Without further ado one of the men took me to the police station. There I had to wait for the arrival of one gentleman; there was no interrogation but I was told not to meddle into anything which has been decided upon by the Munich Police. It also was forbidden to me to mention anything concerning the arrest. Upon my question, as to what should I tell my superior when they inquire about my long absence, I was told to answer them to the effect that I had to wait that long at the police station. Also I was forbidden to enter the Dom until the service was over.

Afterwards Commissioner Wagner accompanied by two gentlemen in civilian clothes, drove me to the Dom [Domberg]. When I got out of the car he said I was released and free to go wherever I wanted to. Whereupon I went immediately to the Dom.

Freising, 20 February 1935

Rupert Mattes

Custodian of the Dom

This report was handed to me by the Regens.

SECRET

Commander
111/1.R. Munich

Freising, February 22, 1935.
Secret

Regiment Munich

On February 21, 1935, at about 12.30, Regens [?] Westermayr, head of the Catholic Church in Freising called on me, of course I received him immediately. He reported to me about the occurrence in the Dom in Freising, as detailed in attached statement. He declared that, on dates indicated in the report particularly on Monday, February 18, 1935, due to the attitude of the S.A. in the Dom, he was seriously worried about the keeping of the peace and order in the church, and even for the person of Cardinal Faulhaber. He asked me if in a case of serious disturbance of the peace in the church, or in case of an assault upon Cardinal Faulhaber, he could count on military protection, which he considers necessary as the police was completely depending upon the S.A. and the city counsel who will not grant him protection from the military officials.

I have answered the Regens [?] on his questions that it is the duty of the Armed Forces to defend the German borders against outside enemies, in case of internal fights the armed forces will only go into action in cases of emergency and danger.

The request for (*stopping*), of similar incidents must therefore, in my opinion, be made by the Regens [?] to the Bezirksoberamtmann (district government) or the Cardinal must apply for it with Government Authorities. I as garrison commander, am not competent for questions of this kind.

Regus Westermayr took notice of this and admitted that, at present, there is no danger, and he explained that his inquiry was made mainly, to find out how I would react to a similar request in case of repetition.

I replied that generally the armed forces can only be put into action upon orders of Major General Adams, commandant of military area VII [Wehrpreis]. I do not believe, however, that the commandant will be able to put in troops for the protection of the Dom, or the Cardinal, as the police is competent for this matter, and I referred him again to the representative of the government, the district government [Bezirksoberamtmann].

With reference to this matter I had the following report from the paymaster-official [Statezahlmeister] Grueber (garrison administration) [Standartverwaltung] Freising, who is himself a member of the party and whose wife is a member of the Nazi Party Women's Organization, [U.S. frauenbund] in Freising.

On Monday February 18, there came to the house of paymaster official Grueber the Kreisleiderin [leader of the district] of the Nazi Party Womens Organization Mrs. Dr. Kreis and asked the wife of paymaster official Grueber to come immediately with her to the Dom to listen to the sermon of Cardinal Faulhaber, implying that this was Mrs. Grueber's duty as member of the party and the Nazi Party Womens Organization. Mrs. Grueber's objection that she was a Protestant was rejected as unimportant, instead it was ordered that every member of the Nazi Womens Party organization has to attach herself to a Storm Trooper in civilian clothes, in which way they would be considered as audience and not as sent out party members. There is no doubt that this measure shows the intention of disturbance of the service and the bringing about of violent scenes.

That Mrs. Grueber also did not know what it was all about until she was in the Dom, and could not leave, confirms the facts mentioned in the Regens Report.

I have been told confidentially from another source that the order to take records of the sermon, was given by the office of the regional leader of NSDAP in Munich.

As I am of the opinion that participation on demonstrative undertakings of this kind for members of the Armed Forces is not possible if they want to have the respect of the population, I have ordered the officers and officials of the garrison and the battalions to postpone until further notice the Nazi Womens organization long strived for joining of our ladies. I have ordered the paymaster official Grueber to request an obligatory declaration from the Nazi Womens Organization, to the effect that his wife, as wife of an army official, will never again be called upon for similar matters. If they should refuse to give this declaration, she has to submit her resignation. May I add that paymaster official Grueber and his wife fully agree with my opinion.

I talked about the matter both with the Lord Mayor and Kreisleiter [district leader] Lederer and he declared that officially he knew nothing about the matter, however, considers a serious disturbance of peace or a threatening of the Cardinal as impossible.

During a discussion today with the Oberamtmann [district government] he declared that he was only informed about these occurrences through the Regens, also following my advice, contacted him. In his opinion the police of Freising has completely failed. To date he was not able to obtain any proof from the police and he shall report to his superior bureau accordingly.

He mentioned he was highly indignant about these occurrences, to the effect that the whole matter should be settled through the police and government and that from the part of the armed forces there was no reason to interfere.

signed [signature].

Art Fuehrer VII

This report was submitted in absence of the Regimental Commander without comment. Due to the importance of this matter it seems not possible to await the return of the Regimental Commander. Report will be made to the Regimental Commander after his return.

Munich February 22, 1935
V.d.a.B
Secret

signature
Captain Regimental adjutant.

Division Artillery Commander VII
Received 2.22.25 No. 349135
Attachments 3 Ref Ia

To Military Area Headquarters.

The garrison commander has acted properly. Conditions in Freising should be called to the attention of the responsible civilian bureau.

signed: [Signature]

Division Artillery Commander VII
received: 2-23-35 No. 767 Secret
3 Attachments.
To the Reich Governor of Bavaria
Major General retired Ritter von Epp.
Munich

please note The Commander
signed: Adam.

Ref. G 383/35
District Attorney's Office
District Court Munich II

Munich March 5, 1935.
(Post Office 35)

To the Public Prosecutor, Court of Appeal Munich
Subject: Disturbances during the Sermon of Cardinal Faulhaber at the Dom-Church Freising.

According to a denunciation made by the Regentie [?] of the clergy seminary Freising disturbances were supposed to have occurred during the sermon of Cardinal Faulhaber in the Dom Church at Freising on February 18, 1935. With the knowledge and consent of the police inspector Wagner, Freising, a cable was laid from the teachers seminary over the north side of the Dom through a window, which was shattered for this purpose, into the interior of the Dom. Close to the Altar of St. Mary, where the end of the cable was, there were seen among others the 2nd Mayor Lechner, deputy Kreisleiter (district leader) Weidinger, city councillor Anneser, Storm Troop leader Steigenberger, 2-3 plain clothes police men and police inspector Wagner. From this direction were supposed to have come during the sermon heavy sounds of clearing of throats and coughing. One student of the seminary who was on duty to keep order, tried to find the cause of the disturbance, was called a "Bazi" [Bavarian expression for "no good"] and was held by a younger man, in such a way as to make it impossible for him to look right or left, till the end of the sermon.

The Dom custodian, also was trying to locate the cable on the outside at the Northern part, was supposed to have been attacked, held and taken to police station, and he was released only upon return of the police inspector.

Also the stairway to the north entrance of the church was supposed to have been blocked at times by Storm Troopers.

On their way home some Students were supposed to have been mistreated without evident reason.

The Regentie [?] of the clerical seminary sees in above mentioned offence heavy damage of property, disturbance of domestic peace and security, deprivation of liberty and disturbance of religious services within the church. The ordinariat [?] of the Archbishoprics Munich and Freising have joined the Regentie in preferring these charges.

I shall report further after the official inquiries have been carried through.

The Chief Public-Prosecutor.

About the happenings in the Dom at Freising on
February 18th and 19th, 1935

February 18

It was on the morning when the Cardinal Faulhaber bestowed the last minor sacraments and the diaconate sacrament in the presence of many relatives of the 111 sacrament candidates and other worshippers. In the entrance hall candidates of the seminary were selling printed copies (5pf. apiece) of the pope-sermon which the Cardinal had delivered on Pope-Sunday (Feb. 11) in Munich. There can be no doubt about the right to sell copies of his sermon as the sermon was never forbidden or sequestrated and it was sold within the church. Police inspector Wagner had some people (it was reported to the signer of this report that some of them had already looked for it on Saturday at the first sacraments, but the sermon was not sold on this day) confiscate the numerous copies at hand, take the candidates away and put into the police station, and all that was reported to the signer, with a certainly authorized reference to the Munich Police authorities. In fact with them by one of the Munich canons, who was called by telephone, brought the result that the service was released immediately, under the condition—no doubt caused by Mr. Wagner—however, that it must not be distributed in the entrance hall of the Dom. Mr. Wagner phoned the undersigned at noon and made this announcement. The undersigned protested against this restriction declaring that the entrance hall with these two altars which are being used is just as much part of the church as the nave, and requiring the return of the confiscated copies by 2 o'clock for the afternoon service. Mr. Wagner replied that he will not accept from the undersigned and hung up. A candidate went to get the confiscated copies of the sermon at the Police station. The unjustified confiscation of the Cardinal service, in his own church, at the hour when he was bestowing sacraments not only hurt the religious feeling of the numerous present worshippers but also has grossly violated the elementary behaviour against a high dignitary of the church and the sense of justice.

February 19

On the occasion of the bible course held for the local theologians a sermon by the cardinal and solemn services were planned in the Dom for 7:15 in the evening and this was announced in the paper. During supper about 6:15 the undersigned was called from the dining room and was advised that the worshippers in the Dom were very excited because the 86th brigade in uniform has entered the Dom in close formation and members of the Storm Troop 11 in civilian clothes, as well as the members of the Nazi Party's Women's Organization were called up for this service. Threats against the Cardinal and the worshippers have been heard which would indicate that the worst may be expected. As the Cardinal in his sermon did not give reason for his hostile demonstrations even to the malevolent attendants, the service passed without noticeable disturbance for the congregation.

However the following is certain: a cable was laid from the outside over the large stairway to the Dom, next to the so called "Hennerhaus" and through the shattered pane of the church window at the north side of the nave. An eye-witness reports as follows. "At the end of the sermon stood on the bench under the window and pushed an electric cord, if I am not mistaken, out of the window. In any event there was a string on a card". Theologian, who, upon the rumor of the installing of wire leading into the Dom, went to check up on it, found the left window next to the altar of St. Mary shattered in from the outside, the splinters laying inside. Outside of the church they found a clod of glazier's putty, in which there still could be detected the mark of a conducting wire. Also the wall still showed signs of somebody having scaled it. It also seems strange that, as quite a few visitors told us, the stairway to the north entrance was blocked by storm troops before and during the sermon. One witness recognized them in the left inner transept among others Mr. Wagner, Storm Troop leader Steingenberger, 2-3 plain clothes police-men, city counsellor Annesen, mayor Lechner, deputy district leader [Kreisleiter] Weidinger. It was also reported to the undersigned that members of the Hitler Youth and German Girls league were entrusted with the blocking of the space in the Dom where the wire was installed.

I do not have to report in detail about the very offensive songs, deeply hurting the religious feeling, which were sung by the Storm Troops on their march back (from a catholic religious service), about the mistreatments inflicted upon for instance a plainclothes policeman and Mr. Hiedl, Jr. also was lured from his house, in the night of February 19, and as a "Black" (Schwarzer-Roman Catholic) was beaten up, as all these incidents have happened outside of the church. Accidentally the undersigned has learned from very reliable source that Storm Troop unit 11 has been ordered by their troop leader to sing: "Put the Black (Schwarzen Catholics) against the wall", instead of singing "Put the 'Bruzen' (Bigwigs) against the wall."

Freising, February 22, 1935.
Dr. F. Westermayr
Regens

Das Ahnenerbe
The Heritage of the Ancestors
Germanic Scientific Mission—Flanders Outpost—
[Germanischer Wissenschaftseinsatz—Aussenstelle Flandern—]
SS—unterstuf. (F) Dr. Augustin
at present Berlin 17 November 1944
Dr. A/Kg.

ANNUAL REPORT

The Flanders and Wallonia office [Dienststelle] of the Germanic Scientific mission [Germanischer Wissenschaftseinsatz] which is under the same direction as the department for cultural policy [kulturpolitisches Referat] of the office [Dienststelle] of SS Lieutnant General [Gruppenfuehrer] and Major General of Police Jungclaus Guidance office for Germanic Volunteers in Flanders [Germanische Freiwilligenleitstelle Flandern] was established under the staff-order No. 14/42 of the SS-Main-Office [Hauptamt] A/95/GL, signed SS-General [Obergruppenfuehrer] Berger. They were given to an SS-officer of German nationality.

Purpose

The work aims at deepening and widening the impact of intelligent propaganda, particularly on the intelligentsia of Flanders and Wallonia. In keeping with the Germanic ideas exclusively represented by the SS.

1. the front of a liberalistic-humanistic education must be penetrated by winning over people holding key-positions in intellectual life,

2. the Greater-Dutch [Grossdietsch] Myth must be attacked through the idea of the Greater-Germanic-Reich-community,

3. the revival of the consciousness of Germanic culture and Germanic Folkdom must be promoted by means of the political propaganda of learning, which is camouflaged as neutral. In view of the arrogant French claims of exclusive civilisation and the Flemish inferiority complex this is exceedingly effective. Accuracy of research and presentation must on principle be observed since its effects are not incompatible with the Germanic intentions.

We have thus access to strata of the intelligentsia which stand outside the official press- and ideological propaganda, but which occupy influential key-positions, so far inadequately supervised in the intellectual life of the country. This refers to university-, college and scientific matters, to the promotion of students' interests and the granting of scholarships, i.e. to the selection of students and talent promotion scheme; this is one of the points where we should get active. To get hold of, influence and obligate those holding intellectual key-positions (i.e. college professors, associations of lawyers, teachers, students, artists) is a task which has direct political significance and effects, from the press, the propaganda, and particularly the security points of view. The closest co-operation has been maintained from the very start with the security-service.

Accordingly the task of the department for cultural policy [Referat Kulturpolitik] has nothing to do with the automatic cultural work of German civilian corporations, like the German Science Institute [Deutsches Wissenschaftliches Institut], the German Academy [Deutsche Akademie], the Rosenberg Office [Amt Rosenberg], the strength-through-joy-cultural groups, the armed forces-courses, the college-weeks etc. The section for cultural policy [Amt Kulturpolitik] is an office charged by the Waffen-SS with the supervision of the foreign organizations it had created in Flanders and Wallonia. The task of the Flanders outpost of the Germanic scientific mission [department for cultural policy] consists in active international pioneering work on a Germanic basis, making use of the seemingly politically neutral weapon of science, of personal influence and of press-methods, which must be specially developed.

PARTIAL TRANSLATION OF DOCUMENT 1764–PS

[Ambassador Hemmen: [P.7]

III

Things are quite different however with a kind of economic question which developed in the past year into a serious political burden: *the labor commitment for Germany.*

It began with a voluntary recruitment of laborers which netted to the end of 1942, 400,000 men. In the first half of 1943, two additional voluntary actions for 250,000 men each were undertaken, of which the first granting at the same time all advantages of the "releve," i.e. the furloughing of PW's at the ratio of 1:3 or granting of the labor charter brought in some 200,000 men, whilst the second action could only be executed under application of the new labor service Law, that is by force, and brought in 122,000 men only.

Beginning July 1943 i.e. after the betrayal by Italy it was then no longer possible to bring in more than 44,600 men of the 900,000 men of 3 annual classes covered by the law. Therefore, the action was halted in October and France was granted a rest period of 3 months in preparation for a new conscription for the year 1944. At the visit of Gauleiter Sauckel in January of this year, it was found however that Laval had made no preparation for a new action whatsoever. On the contrary the opinion that additional labor drafting need no longer be counted on could gain the ascendancy in France in the meantime. Characteristic in this connection is also the fact that Laval in the transformation of the government demanded by him since December has delayed up to now the appointment of a minister for labor in spite of all efforts and assistance of the embassy.

As the total result of the Sauckel-Action all together 818,000 persons, men predominatingly have gone to Germany only 168,000 of them on the basis of the Labor Service Law. Of these, there were only 420,000 left there at the end of January 1944. There is no doubt that the same "Sauckel" sounds today pretty bad to French ears. The mere announcement in the press of an impending visit of the Gauleiter is sufficient for one to see for days hundreds of young people hurrying to the various Paris stations with their little suitcases.

It is likewise certain that, alongside the development of the military and political situation since July 1943 and the irresponsible political inactivity of Laval, the question of labor commitment is responsible for the enormous increase of terror acts, sabotage, the insecurity of traffic and the resistance movement in general. What the propaganda, made with greatest emphasis by the Free French and the Western Powers, was unable to do, to cause the French laborer to stop working and to sabotage the armament works working for Germany—the transport of skilled laborers and juveniles to the Reich, expecially after legal and police force was employed by the French Government for this purpose, caused hundreds of thousands to quit their safe place of work, to place themselves at disposal of terror groups and the secret army and thus to take up the battle against order, against the German occupation force and sharper yet against their own compatriots collaborating with us.

In order to stop these grave consequences of the labor commitment in the future and to obtain the return of the fugitive laborers from the marquis, the French Government in its negotiations with Gauleiter Sauckel has attempted again and again to bring about a change in the sense that laborers should be committed, even if in more increased measure than before, in France itself. The new armament and storage program also served this purpose. Serving the same purpose was also the designation of some 6,200 enterprises as S-enterprises, already shortly afterwards, to be sure a "run" of laborers began to these enterprises. Gauleiter Sauckel must rightly fear that these enterprises soon will be blown up excessively, because in them, the laborers seek shelter from shipment to Germany.

TRANSLATION OF DOCUMENT 1776–PS

Chief of the Wehrmacht; General Staff 30 June 1940

The Continuation of the War Against England

If political means will be without results England's will to resist will have to be broken by force.

(*a*) By making war against the English mother country.

(*b*) By extending the war to the periphery.

Regarding point (*a*), there are three possibilities:

(1) *"Siege"*

This includes war on the high sea and from the air against all shipments to and from England, the first against the English Airforce and all economic resources important to her war effort.

(2) *Terror Attacks* against English centers of population.

(3) A *Landing of troops* with the objective of occupying England.

Germany's final victory also over England is only a question of time. Hostile operational attacks of great strength are no longer possible. Germany, therefore, can choose a form of warfare which husbands her own strength and avoids risks.

The fight against the English Airforce must have top priority in order to lessen the destruction of bases essential to our war effort such finally to prevent it altogether. In order to achieve this the English Airforce must be brought down within the effective operational zone of our fighter planes or at least forced to retreat to its basis in Central England. Attempt to force it down in that region will hardly be successful.

With such actions, nevertheless a prerequisite is created for destroying all of Southern England with its armament factories and for lessening the effectiveness of English bombers against Western Germany. If we succeed in eliminating the aviation factories concentrated around London and Birmingham the English Airforce can no longer replace its losses. In such a case England would have reached the limit of its capabilities of action against Germany, since the blockade by the English fleet is of no decisive importance to us.

The first and most important objective in our war against England is to be supplemented by a concurrent Attack against English storage facilities and shipping on the high sea and in ports.

Together with propaganda and temporary terror attacks—said to be reprisal actions—this increasing weakening of English food supply *will paralyze the will of her people to resist and finally break and thus force its government to capitulate.*

A landing in England can only be contemplated after Germany has gained control of the air.

A landing in England, therefore, should not have as its objective the military conquest of the island an objective which can be obtained by the Luftwaffe and the German Navy. Its sole purpose should be to provide the coup de grace, if it should still be necessary, to a country whose war economy is already paralyzed and whose air force is no longer capable of action.

This situation will not occur before the end of August or the beginning of September.

We must count with an opposition of about 20 English divisions so that at least 30 German divisions will have to be embarked.

The invasion nevertheless must be prepared in all details as a last resort.

An operational plan for it and the necessary preparations therefore are to be presented separately.

Addition to (*b*).

The war against the British Empire can only be carried out through or by other countries which are interested in its falling apart and hope for a substantial part of the spoils. These countries are primarily Italy, Spain, Russia and Japan. To activate these countries is a question of state craft. The military support of Italy and Spain is possible in a limited way (e.g. to mine the Suez Canal or the conquest of Gibraltar).

Besides the Arabic countries can be assisted by offering them "Defensive Means".

An Italian operation against the Suez Canal in conjunction with the conquest of Gibraltar thus sealing off the Mediterranean Sea, would be most effective.

In case Italy should intend to participate in the war against the British isles it can do so by employing its submarines based on the French coast or putting into action some of its fighter formations to be attached to the Luftwaffe. Elements of the Ground Forces are, from a purely military point of view, neither essential nor useful. The employment could only be a political gesture.

It is difficult to predict the time required for such operation.

Since England can no longer fight for victory but only for the preservation of its possessions and its world prestige, she should according to all predictions, be inclined to make peace when she learns that she can still get it now at relatively little cost. Against a complete destruction England would fight to the bitter end.

[signed:] Jodl

TRANSLATION OF DOCUMENT 1849–PS

Strictly Secret!

11C–10

Filing note

Subject: Memorandum on Reich Defence

(I) The tasks of the SA, as regards their part in the country's defense, are laid down as follows by the Reich Minister of Defense.

(*a*) Pre-military training following on youth fitness training.

(*b*) Training of those capable of bearing arms who are not included in the Armed Forces.

(*c*) The maintenance of the fitness for action of former soldiers, and of those who have been trained in SA Sports but have not yet served.

(II) The tasks of Youth are briefly as follows:

Youth fitness training lasts until the end of the 17th year, thus—

(*a*) Youth Sports (6-14).

(*b*) Cross-country sports (15-17).

Youth fitness training comes to an end with a performance test in cross-country sports. The Reich Youth Leader and the Reich Sports Commissar are responsible for running the cross country sports in accordance with the general directions of the Reich Minister of Defence—the training must be carried out unarmed.

(III) The aims of pre-military training.

Pre-military training (SA sports) is given between the years of 18 and 20, thus—

(*a*) Training in SA formations.

(*b*) Training in SA sports camps.

Training is to be carried out with the 98 rifle.

Completion of pre-military training (with award of SA-Sports badge) should be the precondition of entry into the Armed Forces.

As for the rest, however, men capable of bearing arms, of age-groups 21 to 26, should be instructed in SA-Sports, where this has not already been done, or where they have not been included in military service.

Berlin, February 23rd, 1934.

Ringen [?]

C-002159

Extract from "DER STURMER", 4 November 1943.

"What the Jews demand for themselves"

The Jews also used the beginning of the 5th year of the war as an occasion for reflection and contemplation. Since they have hardly any chance to give voice to their opinions in public through newspapers in fighting Europe, they do so in "neutral" countries, in Switzerland and in Sweden. In Switzerland the "Israelitisches Wochenblatt" published in its issue of the 27th August 1943 at the completion of the 4th year of war, an article, reading between the lines of which could be seen the Jewish idea of the new world order.

The Jewish reflections begin with the remark that "a silver lining" is slowly appearing on the horizon and people have therefore started to think about post-war problems. The post-war problems are for the Jews, of course, a concern in which everything revolves round them—the "chosen people."

* * * * * * *

The Swiss Jewish newspaper goes on to say:

"The Jews of Europe, with the exception of those in England and of the lesser Jewish communities in a few neutral countries have, so to speak, disappeared. The Jewish reservoir of the East, which was able to counterbalance the source of apparent assimilation of the West, no longer exists."

This is not a Jewish lie. It is really true that the Jews have "so to speak" disappeared from Europe, and that the Jewish "reservoir of the East", from which the Jewish pestilence spread for centuries among the European nations, has ceased to exist. If the Swiss Jewish paper wishes to affirm that the Jews did not expect this kind of development when they plunged the nations into the second world war, this is to be believed. But already at the beginning of the war the German nation's Fuehrer prophesied the events that have taken place. He said that the second world war would devour those who had wished it.

* * * * * * *

The Jew, J. Kreppel, says in his book "The Jew and the Judaism of Today", Vienna 1925, page 490:

"The hatred against the Jews is as old as the Jewish people themselves. Already at the cradle of their history, when they first entered into world history, the sons of Abraham met with the hatred of their neighbours and those around them."

Even the great Jewish leader Theodor Herzl himself cannot deny this truth. In his book "The Jewish State", Leipzig 1896, First Edition, page 11, he writes:

"The Jewish question exists, it would be foolish to deny this. The Jewish question exists everywhere, wherever Jews live in noticeable numbers. Where it does not exist, it is brought in by the immigrating Jews."

This is the position with regard to the "inferior races" and their hatred against the Jews. It is truly painful when these "inferior races" find justification for their hatred against the Jews out of the mouths of the Jews themselves.

Now, since prominent Jews themselves confessed that the hatred against the Jews is to be found everywhere where Jews live and that they themselves introduced it amongst nations, then it follows that the very existence of the Jew himself is the cause of the "antisemitism". If therefore the cause, i.e. the Jew, is destroyed, the world will be freed from the hatred against the Jews. * * *

[Signed] Julius Streicher.

TRANSLATION OF DOCUMENT 1975–PS

[P. 6.] III Ba 5 Wirtschaft Arbeitseinsatz
Das Recht des besetzen Ostgebiete

Order concerning the introduction of compulsory work in the occupied Eastern Territories

dated 19th December 1941 (Official Gazette, Reich Ministry for the Occupied Eastern Territories p. 5) in terms of the revised Order dated 27th August 1942 (Official Gazette, Reich Ministry for the occupied Eastern Territories p. 72).

Introduction

As in the Reich, a development in the employment situation occurred in the occupied Eastern Territories, even in a comparatively short time, from widespread unemployment at first, to today's high figures of employment. It is therefore possible to make the legal status similar to the legislation of the Reich with due regard to local conditions at the time.

In order that work in the war-industry of the Reich may not be impeded by a lack of labour, first, compulsory work itself was brought in by the Order set out below, which at the same time made a framework for further measures to be taken by the Reich commissars.

The order read as follows:

By virtue of section 8 of the Fuehrer Edict on the administration of the newly-occupied Eastern Territories dated 17th July 1941, I decree the following:

1. (1) All inhabitants of the occupied Eastern Territories are subject to the public liability for compulsory work, according to their capability for work.

(2) The Reich Commissars can increase or restrict the liability for compulsory work in regard to specific groups of the population.

(3) A special ruling is drawn up for Jews.

1. By the Order revising the Order concerning the introduction of compulsory work in the Occupied Eastern Territories, dated 27, 8.42, (Official Gazette, Reich Ministry for the Occupied Eastern Territories p. 72) liability for compulsory work was extended to affect every inhabitant of the Occupied Eastern Territories. In the original terms of section 1, liability for compulsory work was restricted to persons between the ages of 18 and 45.

2. No special regulation on compulsory work for Jews has been made owing to the fact that all Jews capable of working are already in actual employment and also that the liability for compulsory work itself has been extended to include every inhabitant of the Occupied Eastern Territories, according to his capability for work.

2. Persons who can prove permanent employment in some kind of work useful to the community are to remain unaffected by the public liability for compulsory work.

3. (1) They will be paid according to rates which are considered just.

(2) As far as this may be possible, the welfare of the compulsory workers and of their families will be attended to.

4. (1) The Reich Commissars will issue the instructions required for the execution of this order.

(2) Contraventions of this order and of the instructions issued for its execution, will be punished by penal servitude or imprisonment. The special courts are competent to pass judgment.

c.f. 1st Order, issued by the Reich Commissar for the Eastern Territories (Ostland) for the execution of the order concerning the introduction of compulsory work in the Occupied Eastern Territories, dated 25.1.43 (O. III Ba 5^{1}d. Slg.) and 1st, 2nd and 3rd Order issued by the Reich Commissar for the Ukraine for the execution of the Order concerning the introduction of compulsory work, dated 28.7.42 (U. III ba 1^{1}d. Slg.), 11.5.42 (U III Ba 1^{2}d. Slg.) and 16.11.42 (U III Ba 1^{3}d. Slg.)

Berlin 19th December 1941.

Reich Minister for the Occupied Eastern Territories

(RR Dr. Schuenicke)

[P. 7.] Arbeitseinsatz. Wirtschaft III Ba 5^1

First Order for the execution of the Order concerning the introduction of compulsory work in the Occupied Eastern Territories dated 25th January 1943 (Official Gazette, Reich Commisseriat of the Eastern Territories p. 3)

By virtue of section 4 of the Order issued by the Reich Minister for the Occupied Eastern Territories concerning the introduction of compulsory work in the Occupied Eastern Territories, dated 19th December 1941 (Official Gazette, Reich Ministry for the Occupied Eastern Territories 1942 p. 5) I decree:

1. (1) All work in the public interest comes under the heading of public compulsory work, especially work in the armament industry, in agriculture, in public building-work above and below ground and hydraulic construction work, erection and maintenance of public buildings, construction and maintenance of roads, waterways and railways, maintenance of drains and work on the development of the country [Landeskultur].

(2) Those liable for compulsory work must be reinstructed, undergo training or attend courses, when required to by the Area Commissar—Labour department.

(3) Even work undertaken outside the Reich Commissariat of the Occupied Eastern Territories can be included as compulsory work.

The legal basis, justifying the conscription for native labor outside the Occupied Eastern Territories, is given in the Order concerning the conscription of labor for the areas outside the Occupied Eastern Territories, dated 12.12.41 (O III Ba 4 d. Slg).

2. (1) Those liable for compulsory work are to be employed in work most suited to their knowledge and capabilities.

(2) Anyone capable of working is liable for compulsory work.

(3) Anyone not fully capable of working is subject to the liability for compulsory work to the extent of his capability.

3. (1) Those liable for compulsory work are directed into employment by the competent Area Commissar (Labour department) of the permanent or temporary place of residence.

(2) The Area Commissar (Labour department) can make

district and municipal leaders responsible for seeing that compulsory workers take up compulsory employment.

(3) When the compulsory worker is directed to start work, he is to be given—a certificate of obligation by the competent Area Commissar (Labour department).

4. Those liable for compulsory work are paid according to the local pay regulations applicable to the conditions of work which are in force.

5. (1) The duration of liability for compulsory work will be determined by the Area Commissar (Labour department). It can be limited, from the start to a specific period. Liability for compulsory work of an indefinite period can cease only with the permission of the competent Area Commissar (Labour department) of the place of work.

(2) In so far as work is undertaken outside the Reich Commissariat of the Eastern Territories, the instructions applicable to that place of work, are valid.

With reference to the terms of employment and treatment within the Reich, however, differentiation must be made between subjects of the former three Baltic States, Esthonia, Latvia and Lithuania and inhabitants of the General district of White Russia. So far as there are no special regulations for foreign workers, the terms of employment for comparable racial Germans apply also to the subjects of the foreign three Baltic states, as from 1.1.43, after the discontinuation of the 15% pay levelling duty [Lohnausgleichabgabe]. There are no essential restrictions in accommodation and treatment.

On the other hand, the so-called Eastern workers including also the White Russians, have conditions of employment of a special kind to which the German regulations of employment rights and employment protection rights apply only in so far as this is specifically decreed. As payment for their labour, they receive according to their capability a graduated rate of pay in accordance with the Order concerning the conditions of employment for Eastern workers dated 30.6.42 (RGB1. I pp. 419/24). In addition the heads of factories must pay an Eastern worker's tax according to a legally established table of rates; owing to this, however, the payment of income tax within the German Reich ceases. Accommodation and food is arranged for by the heads of the factories who also make the appropriate charges according to the established rates.

6. (1) The compulsory worker must comply with all measures necessary to the commencement of his work.

(2) When required to do so by the Area Commissar (Labour department) he must above all:

1. appear in person with all his personal papers and give all relevant information about himself.

2. to make use in his work of any effects in his possession which can be used in the course of his work (e.g. hand tools, working clothes).

7. No deputizing is allowed in complying with the liability for compulsory work.

8. (1) Anyone failing to comply with the terms of the Executive Order will be punishable under section 4 of the Order issued by the Reich Minister for the Occupied Eastern Territories, concerning the introduction of compulsory work in the Occupied Eastern Territories, dated 19th December 1941 (Official Gazette, Reich Ministry for the Occupied Eastern Territories 1942 p. 5).

(2) Likewise, anyone undertaking to hinder others in the fulfilling of the obligations set out in this Executive Order, will be punished.

(3) Punishment can be inflicted only by order of the Area Commissar (Labour department).

9. In place of inflicting a penalty in the terms of section 8, the Area Commissar can decide on a punishment of 6 weeks in a Forced Labour Camp.

10. This Order comes into force on 1st February 1943.

Riga 25th January 1943

Reich Commissar for the Eastern Territories

(RR Dr. Schuenicke)

TRANSLATION OF DOCUMENT 2233–DD–PS

FRANK DIARY

File of 1.8.44–17.12.44

Monday, 16 October 1944. Cracow

13:00 hours The Governor General receives SS Oberfuehrer Dierlewanger and SS Untersturmfuehrer Ammann in the presence of SS Sturmbannfuehrer Pfaffenroth.

SS Oberfuehrer Dierlewanger reports to the Governor General on the employment of his combat group in Warsaw.

The Governor-General thanks SS Oberfuehrer Dierlewanger and expresses to him his appreciation for the model employment of his combat group in the fighting in Warsaw.

1330 hours Lunch on the occasion of the presence of SS Oberfuehrer Dierlewanger.

TRANSLATION OF DOCUMENT 2263-PS

Top Secret

Copy

The Reich Minister for Economy
v Ld. 7/30287/42 g Rs II. Aug.
Berlin W 8 6 June 1942
Behrenstrasse 43
Phone: 16 43 51

Express Letter

5 Copies
5th Copy

To the Chief of the O.K.W. Administrative Office

Attention: Ministerialrat BIEHLER o.V.i.A. Berlin W 35 Tiepitzufer 72–76

Subject: Disposal of assets from the Occupation Cost Fund B
Your letter from 13 May 1942—2f 32 gK Beih. 1 WV (X6) 173–42 GKdos.

In answer to my letter of 25 April 1942–V Ld. 7/30183/42 g.Rs.–100 Million R.M. were put at my disposal from the Occupation Cost Fund by the Armed Forces High Command. This amount has already been disposed of except for 10 Million R.M. since the demands of the ROGES Raw-Material Trading Co. Inc. Berlin, for the acquisition of merchandise on the black market were very heavy. In order not to permit a stoppage in the flow of purchases which were made in the interest of the prosecution of the war, further amounts from the Occupation Cost Fund must be made available. According to reports by ROGES and by the Economic Bureau of the Military Commander in France, 30 million R.M. in French Francs are needed every 10 days for such purchases, according to reports by ROGES an increase of purchases is to be expected; therefore it will not be sufficient to have the remaining 100 million R.M. ready—according to my letter of 25 April 1942. Above this, an additional amount of 100 million R.M. will be necessary.

I request therefore with reference to my letter of 25 April

1942—V. Ld. 7/30183/42 g.Rs. to grant the amount of Francs equivalent to 200 million R.M.

I request that arrangements as to how far the Minister of Finance is to participate in the disposal of this amount be made by your office. Copies of this letter will be forwarded to the Reichsmarschal of Greater Germany, Plenipotentiary for the Four Year Plan, the Reich Minister of Finance and the Foreign Office.

For [In Vertretung]
signed Dr. Landfried

TOP SECRET

To: The Foreign Office
Attention: Ministerialdirektor Wiehl o.V.i.A. Berlin W 8 Wilhelmstrasse

I am forwarding the above copy of my express letter to the Chief of the Armed Forces High Command for information. I request that the enclosed second copy be transmitted to the Armistice Delegation, department "Economy" in Paris.

For: (signed Dr. Landfried)

TRANSLATION OF DOCUMENT 2428–PS

RASCHER EXPERIMENT

Testimony of Anton Pacholegg at Dachau, Germany, at 13:00 hours on 13 May 1945

Mr. ANTON PACHOLEGG appeared before the Investigator-Examiner and testified as follows:

Q. What is your name?

A. Anton Pacholegg.

Q. What is your address?

A. Thurndorferstr.No. 52,Frauenfeld/Turgan, Switzerland.

Q. We are making an investigation of the alleged atrocities committed by the SS at the Dachau Concentration Camp. Are you willing to be sworn and testify under oath as to what you know of these alleged atrocities at the Dachau Camp?

A. Yes.

Q. Is the address you have given above your permanent address?

A. Yes.

Q. What is your nationality?

A. I am an Austrian.

Q. What was your occupation or profession?

A. I was a patent lawyer.

Q. What has been your education?

A. I studied at the University of Gretz from 1912 to 1914 and the University of Paris from 1924 to 1926, having been in the Austrian Army in the interim.

Q. What degrees do you hold?

A. Doctor of Science which authorizes me to practice as a patent lawyer in Switzerland.

Q. How did you come to be in the Dachau Concentration Camp on 2 August 1939?

A. At the request of my business agent in Austria I met him at the Swiss Frontier to discuss personal matters. I was arrested by the Gestapo. I am of the conviction that this meeting was a ruse arranged by the Gestapo in cooperation with my business agent in order to effect my arrest. I actually came to Dachau at the end of the year 1942 and have been here ever since.

Q. Have you been here as a prisoner since that time?

A. Yes.

Q. Why were you kept as a prisoner?

A. I was kept as a prisoner under suspicion of having been in connection with English secret service organizations. The Gestapo could not produce any evidence for this accusation. I was also accused of having dealings with Jewish people and also for violation of Reich Monetary Restrictions.

Q. What was your job in Camp, if any?

A. In the 1st year from 1942 to 1943 I spent my time in the punishment company doing different manual labor such as sweeping the streets or in conjunction with seven other men pulling the street roller, digging in the gravel pit and then I managed somehow to be transferred into Station No. 5 which is the office of the Experimental Station. I received a job as a clerk in cases concerning patients of that station.

Q. What sort of Experimental Station was this?

A. The sole purpose of this experimental station was to compile lists of all German education installations and to get them completely listed and classified in our office so that the SS with this information could use further means of their own to get German educational and scientific education completely under SS control.

Q. What was the name of this Experimental Station and was it located in Dachau?

A. Yes, it was located in Dachau and was called the First Experimental Station of the Luftwaffe and then only "Experimental Station" and in 1944 changed to Heritage. They were all cover up names for the true purpose of what was actually accomplished here in an experimental way. I want to add that in the beginning of March 1945 the name again was changed to "Experimental Station" experimenting on living humans for the benefit of mankind.

Q. What was your function in this experimental station?

A. I was a clerk.

Q. In light of your being at this investigation what would you say of interest to this proceeding as to what you know of this experimental station?

A. First I want to talk about experiments about air pressure in connection with the Luftwaffe. The Luftwaffe delivered here at the Concentration Camp at Dachau a cabinet constructed of wood and metal measuring one meter square and two meters high. It was possible in this cabinet to either decrease or increase the air pressure. You could observe through a little window the reaction of the subject inside the chamber. The purpose of these experiments in the cabinet was to test human energy and the subject's capacity and ability to take large amounts of pure oxygen and then to test his reaction to a gradual decrease of oxygen—almost approaching infinity. This amounted to a vacuum chamber in what had been a pressure chamber at the beginning of the experiment. Such prisoners were chosen for these experiments upon written request which was sent to Berlin. Suggested names of prisoners in this camp were sent and authorization was received here in camp. Then the experiment was begun. Dr. Sigmund Rascher actually picked the physical subjects and sent the names to Berlin. He chose those persons from the group in camp within the punishment company, which group was made up of political prisoners who had already been marked for extermination. A few convicts were among these political prisoners, having been placed there merely to depress the morale of the political prisoners and, so, a few convicts were killed along with the others.

Q. What do you know of the so-called "Rascher Process"?

A. The process so-called is more or less a slang term. It was simply a method of testing a person's ability to withstand extreme air pressure. Some experiments would have no visual physical effect on a person but would only be indicated by meter recordings. There were extremes, however, in those experiments. I have personally seen through the observation window of the chamber when a prisoner inside would stand a vacuum until his lungs ruptured. Some experiments gave men such pressure in their heads that they would go mad and pull out their hair in an effort to relieve the pressure. They would tear their heads and face with their fingers and nails in an attempt to maim themselves in their madness. They would beat the walls with their hands and head and scream in an effort to relieve pressure on their eardrums. These cases of extremes of vacuums generally ended in the death of the subject. An extreme experiment was so certain to result in death that in many instances the chamber was used for routine execution purposes rather than an experiment. I have known RASCHER's experiments to subject a prisoner to vacuum conditions or extreme pressure conditions or combinations of both for as long as thirty minutes. The experiments were generally classified into two groups, one known as the living experiments and the other simply as the X experiment which was a way of saying execution experiment.

Q. Were there any other personnel involved in these things?

A. Yes, DR. BUNZCNGRUBER, a civilian employee and the station's KAPO JAUK. There was another civilian employee FEIX, who together with Dr. BUNZCNGRUBER had been prisoners at this camp before becoming civilian employees.

Q. Where are these people now, if you know?

A. Civilian employee FEIX and former prisoner NEFF, Assistant to Dr. RASCHER, are now employed at a government owned plant for the manufacture of a hemostatic remedies to stop blood flow. This plant is located between the towns of Lindau and Briggins in Baden. I do not know where the others are.

CROSS-EXAMINATION by Captain CLYDE WALKER, Cross-Examiner:

Q. What were the other tests, if any?

A. There was one to test flight clothing for the Luftwaffe. The victims for this were dressed in various types of flight suits with life jackets and were thrown into vats of water, too deep for a man to stand in and the rim of which was too high to grab into so that a man would have to remain as he was thrown. His hands were always chained together. The water was the temperature of the North Atlantic Ocean or of the North Sea in middle winter. The temperature was important to the experiment. The victim would be left floating for about four hours, or sooner if he fainted, but he would not be removed until the heart beat went down to a certain minimum. After that tests for revivals would be made. I would like to state that on all these experiments, pictures, both still and moving, were taken. Charts and graphs were drawn and all sent to Berlin. At the headquarters of the Luftwaffe and upon decision by the experts of the Luftwaffe all of the aforementioned experiments were declared scientifically worthless with the result that Dr. RASCHER was fired from his position and reduced to the rank of SS Hauptsturmfuehrer.

Q. Was this in punishment or a feeling of humanitarianism?

A. It was deemed punishment for inefficiency and inexperience and a waste of time when he did so much without knowing first what he was doing.

Q. What else did RASCHER do?

A. Next Dr. RASCHER, in his capacity of SS Hauptsturmfuehrer, conducted experiments to find a remedy to stop bleeding from all causes. He would extract about an eighth of a liter of blood from a prisoner who previously had to swallow certain tablets for the single purpose of causing blood to coagulate in case of an open wound. They would then examine this blood and check the time of coagulation from the time it was extracted.

Q. Did Dr. RASCHER have any assistant that you remember in this work?

A. Yes, there was a prisoner by the name of WALTER NEFF who was the doctor's constant aid. He was discharged from Dachau on 5 April 1944 to accept an appointment in Munich in the office of "Reichsfuehrer SS Personal Staff", which was the bureau in charge of our experiments in this vicinity.

Q. What was the average daily toll from this experiment?

A. I counted daily from one to as many as sixteen bodies left from a day's work. I would say the weekly average was about twenty. These experiments were conducted until September 1943 beginning in 1941.

Q. Was Dr. RASCHER in charge of this work for this whole period?

A. Yes. RASCHER told me that he had been put on this work by HIMMLER personally and he was there until it was abandoned. I forgot to mention that in the early part of the work in 1942 Russian civilians, prisoners of war and Jews of all nationalities were used. Particular attention was paid in being sure that the man was a Russian commissar or some sort of intellectual.

Q. Is there anything else that you would like to add about this experiment?

A. Yes. I can never forget the way RASCHER acted. RASCHER used to go for the prisoners personally and would bring them in at pistol point. He would casually shoot any who tried to make a break or any who did not move fast enough. Once herded into the room he would sneer and tell them that they had fifteen minutes to live and he would relax the prohibition of no smoking among prisoners and that they could have a smoke. The most disgusting part was that when the prisoners lined up, RASCHER would go along and make what he called a leather inspection. He would grab a man by the buttocks and/or thighs and say "good." After the group had been killed, the skin from these bodies would be removed from those thighs and buttocks. I was in the office many times when human skin with blood still on it was brought in to RASCHER. After the bodies had been carted away, RASCHER would inspect them carefully, holding them up to the light for flaws, and would pass on them before they were tanned. They were always stretched over small wooden frames when they came to RASCHER. I saw the finished leather later made into a handbag that Mrs. RASCHER was carrying. Most of it went for driving gloves for the SS officers of the camp.

Q. Was this so-called "Doctor" a doctor of medicine or science?

A. He was a doctor of medicine, I do know that. He was about thirty-four years of age. I have been told that RASCHER was killed by the SS before the Americans got here but I have no proof of that.

Q. Were there any other experiments conducted other than those you have mentioned?

A. Yes.

Q. What were they?

A. The "cold test" was one. RASCHER conducted this one also with the help, of course, of his personal assistant NEFF. The test was to determine the degree of cold temperature that a human being could stand and still have his faculties. This was for the Luftwaffe also. As well as determining what a man could stand the experiment would usually go on until the man passed out completely. Then there was an experiment to find a way to revive a prisoner who had so collapsed.

Q. Where were these experiments performed?

A. They were performed in the outdoors during the winter time. It was always at night as a rule because the weather was coldest at that time. Men would be put outdoors naked, lying in metal carts from two to twelve hours depending upon the individual's constitution. Some fainted sooner than others. Examinations or written tests were made constantly to record pulses, temperatures and general physical reactions. When a man fainted he was wrapped in a life preserver and thrown into a tank of water at room temperature. He was kept there until he revived or until he was pronounced dead. In addition to this, there was the testing of the heart, blood count, respiratory system, etc. Another experiment conducted with these half-frozen, unconscious people was to take a man and throw him in boiling water of varying temperatures and take readings on his physical reactions from extreme cold to extreme heat. The victims came out looking like lobsters. Some lived but most of them died. Scientifically, I cannot understand how they lived. Still another method was to revive a half-frozen man by the warmth of another body. For this test healthy, normal women were brought from Ravensbruck and two women would be undressed and the half-frozen body of a prisoner placed between the two warm, nude bodies of the women. The three bodies were kept this way until the warmth of the women's bodies revived a man, or until he was declared dead.

Q. Who was present at such an experiment?

A. HEINRICH HIMMLER and his staff generally witnessed these important experiments here at Dachau or any new experiment. Standartenfuehrer SIEVERS was always present with HIMMLER. Another experiment as told to me by NEFF personally was done in the following manner: The prisoner would be taken into the gas chamber at the new crematorium and extremities of the body amputated without the use of anaesthetics, i. e., living bodies were used to simulate battle field condition wounds and shell fire wounds. The coagulation tests were being conducted during this time. Dr. RASCHER conducted this experiment and would later dictate his findings for the official report.

Q. Were there any other things of this nature that went on?

A. I remember in particular any report I made out almost always ended with the remark "Experiment successful but the patient died." This may sound like a joke as I have heard it before but I have never had to write it before and realize it was true.

Q. Are there any more experiments you remember wherein you can give names of personnel conducting them?

A. None, except I would like to tell what I know of the dungeon here. I was thrown into the dungeon after having escaped from camp. The circumstances of my escape were that in RASCHER's absence I cleaned out his safe and took all signed receipts of sale for gloves and pocketbooks that RASCHER had sold, i. e., gloves and pocketbooks made from human skin. There were other documents also which I can't remember now. My English friend in camp who has since been killed made a contact for me on the outside. When I left camp I met this intermediary from the British and handed him all these compromising documents. This person took them on to Switzerland. I do not know where he is now nor where the documents are. I came back under guard and thought I would be killed but RASCHER saved my life. RASCHER was in trouble, charged with negligence and he thought I could save him. He in turn said he had burned the documents in question and I was merely thrown into the dungeon where I remained for nine months in chains. RASCHER was convicted of negligence and many other things and was later dismissed from the service and I understand has since been killed by the SS. RASCHER's wife was convicted for embezzlement and imprisoned. I gave RASCHER 5,000 marks to keep from being killed even before this came up. I had money on the outside. RASCHER had told us when I gave him the 5,000 marks that the SS was afraid something would go wrong in Germany and that the American invasion might be successful and if it was every prisoner would be killed.

Q. Who was in charge of the dungeon?

A. Sturmfuehrer STILLEP. I don't remember the name of his assistant. Most of the punishment I received in the dungeon was inflicted by an SS man from Munich who came from the Gestapo to question me. I don't know their names and in all the time I was there I can hardly remember all the things they did to me, nor can I remember the names. It was the usual beatings, sometimes for long periods standing in chains, and questions that tortured my mind. They could torture your mind as well as your body. They would take me out of the cell for interrogation and, when in answering a question in a proper manner, they would beat me to their great satisfaction with their fists and hit me on either side of the face causing me to reel across the room and faint. They would take a pail of water and throw it over me for revival. One day I was taken out of my cell for interrogation very early in the morning and it seems they were in a bad humor because upon entering the room one of the SD Gestapo men took a wet towel, wrapped it loosely around my neck and dragged me all over the room until I lost consciousness. When I woke up again I found myself completely soaked from a drenching of water and then I was taken back to my cell without any interrogation taking place. Once during my stay in the bunker, one of those larger cells, I was able to observe Oberscharfuehrer BACH with a few other SS men walk up to a cell and, opening the little trap door, fire point blank at the prisoner in that cell. It was customary among prisoners in the bunkers to refer to these shootings as another "Schuetzenfest"—this means shooting party.

Q. Can you remember any other names of SS or other personnel who treated you cruelly or abused you in the camp or any of the other prisoners?

A. None that I have not already mentioned. I will think of these things in years to come and names and faces will come to me but right now I have given the ones I can remember.

Q. Is there anything else you wish to say about personalities you met here in camp?

A. Yes, in January 1944 I was taken to Berlin by RASCHER after we had finished writing up some of the experiments. In Berlin I was kept by RASCHER in case he needed me to explain the results of his work but RASCHER himself took the reports in and reported to Obergruppenfuehrer Dr. CONTI, one of the SS who I understand was one of the directors if not the supreme leader of the medical department of the SS. He knew all about the experiments and these reports were given to him constantly. HEINRICH HIMMLER, CONTI, SS Obergruppenfuehrer Dr. ERNST KALTENBRUNNER of Berlin, were in direct connection with our experimental station, knowing everything that went on and ordered what happened. RASCHER was just a petty crook in a high position and the only reason I am alive is that RASCHER had to have me with him. RASCHER took his orders from these men I have just named and these men are the real ones I would like to get for what we had to see at Dachau. That is all I have to say.

Testimony adjourned at 1600 hours on 13 May 1945.

Anton Pacholegg.

ATTEST:
[signed] David Chavez, Jr.
DAVID CHAVEZ, JR.
Colonel, I. A. G. D.
Investigator-Examiner

TRANSLATION OF DOCUMENT 2819–PS

Governor of District Lublin, Government General
Lublin, 18 July 1944
Dr.Schr./Bue.

Department: Economy
To the Chief of Office [Amtschef] in the house.
Tgb. No. 5280/44
Az. 10–11–19.

Subject: Movable property of Jews.

Referring to my oral report of today based upon the secret letter of the SS– and police leader that I also received today, I present to you teletype [Fernschreiben] of the Government, Department custodian administration [Treuhandverwaltung] of 3 May 1944 for your information, with the request to return it.

Chief of the Economy Department
per:
Signed: Dr. Schrodt.

Government General Cracow
Government of the Government General, Central Economics Department
Department custodian Administration [Abteilung Treuhandverwaltung] az.: 153 pi/m.
Teletype No. 15/18

1. register.
2. submit again at once S 4/5.

To the Governor of the district, Economics Department
I am to be notified about developments DM.
Sub Department Custodian Administration [Treuhandverwaltung] Warsaw—Radom—Lublin—Galicia.
Subject: Transfer of personal property of Jews to the government by the SS.

For your information I am informing you that, on 21 February 1944, an agreement was reached by states secretary Dr. Buehler with the higher SS- and police leader, SS Lieutenant General Koppe, in presence of several department presidents, that the SS will place at the disposal of the government the personal property of Jews stored in camps or becoming available in the future. In executing this agreement, I caused that goods stored in various SS camps be taken over within the shortest possible time. Stock already confiscated and safeguarded was also transferred to me by the Chief of the Security Police and the SD. I request you to contact the local SS- and police leader in order to clarify this subject. The higher SS- and police leader has charged SS-Major Meier expert for special property, who is constantly in contact with my office, to carry through the transfer of this property.

By order: Pietschke, Regierungsrat vgl. 21 Dec.1944 +++
Transmitted: Finkbeiner/Schiwiora 3 May 10:15 O'cl.++
Received Radom Kerner ++
Received: Lublin: Imach+

RESTRICTED

HEADQUARTERS
THIRD U S ARMY AND EASTERN MILITARY DISTRICT
APO 403

MILITARY COMMISSION
ORDER NUMBER 6

18 October 1945

Before a military commission which convened at Freising, Germany, on 15 July 1945, pursuant to paragraph 11, Special Orders No. 190, this headquarters, 11 July 1945, was arraigned and tried:

Albert Bury, also known as Alfred Bury, a German National.

Charge: Violation of the Laws and Usages of War.

Specification: In that on or about 12 December 1944, Albert Bury, also known as Alfred Bury a German National, then the police chief of Langenselbold, Kreis Hanau, Germany, and Wilhelm Hafner, Karl Henkel, and Wilhelm Plitt, all German Nationals, then policemen of Langenselbold, Kreis Hanau, Germany, and Johann Freidrich Wilhelm Loser, a German National, then Landrat of Kreis Hanau, Germany, and Georg Heinrich Kalte, a German National, then Oberleutnant of Police of Kreis Hanau, Germany, did at Langenselbold, Kreis Hanau, Germany, wrongfully and unlawfully kill Technical Sergeant Donald L. Hein, ASN 33563157, a member of the Armed forces of the United States of America, the said Albert Bury having wrongfully and unlawfully delivered the said Donald L. Hein, who had come into his, Albert Bury's, custody as a prisoner of war, and was then and there unarmed and defenseless and was not under sentence of death for any offence committed by the said Donald L. Hein, to said Wilhelm Hafner, Karl Henkel, and Wilhelm Plitt, with directions that the said Wilhelm Hafner, Karl Henkel, and Wilhelm Plitt, should shoot the said Donald L. Hein, and pursuant thereto the said Wilhelm Hafner, Karl Henkel and Wilhelm Plitt, having conducted the said Donald L. Hein to a secluded spot at or near Langenselbold, Kreis Hanau, Germany, where the said Wilhelm Hafner in the presence of the said Karl Henkel and Wilhelm Plitt did wrongfully and unlawfully shoot the said Donald L. Hein with a pistol, causing the death of said Donald L. Hein, the said Karl Henkel and Wilhelm Plitt then and there wrongfully and unlawfully standing by and failing to prevent the aforesaid unlawful act of the said Wilhelm Hafner, all of the foregoing having been done pursuant to the wrongful and unlawful orders of the said Johann Friedrich Wilhelm Loser and the said George Heinrich Kalte that each and every enemy flier who landed within the territory of their jurisdiction was to be shot immediately, or words to that effect.

PLEAS

To the Specification of the Charge: Not Guilty
To the Charge: Not Guilty

FINDINGS

Of the Specification of the Charge: Guilty
Of the Charge: Guilty

SENTENCE

To be hanged by the neck until dead.
The sentence was adjudged on 15 July 1945.

The action of the convening authority is as follows:

"HEADQUARTERS
THIRD UNITED STATES ARMY
APO 403

In the foregoing case of Albert Bury, also known as Alfred Bury, a German National, the sentence is approved. The record of trial is forwarded for confirmation to the Commanding General, United States Forces, European Theater.

s/ G. S. Patton, Jr
t/ G. S. PATTON, JR.,
General, U. S. Army, Commanding."

The action of the confirming authority is as follows:

"HEADQUARTERS
UNITED STATES FORCES, EUROPEAN THEATER

12 October 1945

In the foregoing case of ALBERT BURY, also known as ALFRED BURY, a German National, the sentence is confirmed. The Commanding General, Eastern Military District, will issue appropriate orders promulgating the sentence as confirmed and will carry the sentence into execution at a time and place to be determined by him.

s/ Dwight D. Eisenhower
DWIGHT D. EISENHOWER
Commanding General, U S Forces, European Theater"

BY COMMAND OF LIEUTENANT GENERAL TRUSCOTT:
DON E. CARLETON,
Brigadier General, U. S. Army, Chief of Staff.

[SEAL] HEADQUARTERS THIRD US ARMY OFFICIAL
L. L. MANLY,
Colonel, Adjutant General's Department,
Adjutant General.

TRANSLATION OF DOCUMENT 3300–PS

Chateau de Lesbioles, 3.5.1945
[Handwritten annotation]

AUSTRIA

[Written by von Papen while in custody in 1945]

In these days, when Austria is occupied by the Russian Army, Vienna is destroyed, and a new "Renner Government" has been established—with the grace of Moscow but without the recognition of the US or England—one's thoughts return to that charming and beloved country, and to the destiny which has overtaken it since the days of St. Germain.

The destruction of the dual monarchy, and with it the balance of power in Southeast Europe, was a political mistake of the greatest magnitude. It was provoked by statesmen who did not understand the political and cultural accomplishments of the Hapsburgs during the centuries, and permitted their work to be reduced to nothing. Just as Czechoslovakia, Hungary, Poland and Jugoslavia barely were able to maintain their political and economic existence, so was the German remainder of this great monarchy ill-fitted for independent existence. The causes have been discussed often enough in the course of the past twenty-five years.

A far-sighted policy of the victorious powers would have brought this rump Austria into at least an economic association with the Reich after the famous Salzburg Statement of 1919, in which Austria declared itself 99 percent in favor of political union. But this proposal was refused by the great powers. Italy, who had appropriated the South Tyrol, feared a reaction, and was only interested in a weak, helpless Austria. The ambition of France since Louis XIV had been not only to annex the Saar and the Rhineland, but to take Austria under special protection, and to play her off against the Reich. England remained more or less indifferent.

But the influence of a thousand years of common history is not easily wiped out by peace-terms. The gentlemen at St. Germain could not decree that the German people in Austria—proud of their cultural and historical accomplishments—would lose their Germanic quality and tradition. Possibly they confused the cosmopolitan hydrocephalous brain of the one great political center of the Dual Monarchy, Vienna, with the tough and conservative race of German-Austrian peasants who developed in the Alpine Mountains, and yielded to the illusion that the political leadership of their newly created Central Europe could be materially influenced by this former cosmopolitan source of power.

The successive attempts of many determined Austrian governments, supported by Italy or France, to succeed in stabilizing conditions in the country are well known.

Alongside of the great cleavages in interior politics there remained the impossibility of economic self-sufficiency. The central point of this struggle for existence was the constant necessity of seeking financial assistance from the great powers. To all these problems the powers shut their eyes.

In 1930, when the question of a customs union with the Reich was to be discussed and embodied in a treaty, there arose among the St. Germain signatories a storm of protest. The pressing economic need of Austria was as little appreciated as the suitability of the proposed aid. The question was dragged before the League of Nations and then handed over to the Court of Arbitration at The Hague. The world still remembers that this question, one of the most important for the stability of the world, was decided by a majority of one vote (Guatemala's) as the Great Powers desired: in the negative. This incomprehensible, shortsighted decision will always remain against the account of the Great Powers among the many causes which led to a second World War, and as one of the factors which favored the rise of National Socialism. For the economic union of Austria to the Reich would not only have brought Austria into a secure economic position, eliminated poverty and misery—and so drawn out the teeth of political radicalism—but it would have allowed the political struggle for the attainment of common, direct policy of the two-brother countries to be accomplished in quite a different and relaxed atmosphere.

At the time I had the impression that the government of the Reich, headed by the Chancellor Dr BRUENING, was fighting only half-heartedly for a favorable solution of this fateful German question. I felt the case demanded to be brought to the attention of world opinion with a tremendous propaganda drive (the methods of which were later found to be so effective) and a decisive political stand. Had such a failure occurred in any other country on such a vital question the Prime Minister and Foreign Minister would have had to announce their resignation. BRUENING and CURTIUS remained. Some of the leading Christian-Social politicians in Vienna most likely dropped the matter prematurely. This was my definite impression when I attended a Christian-Socialist congress in Klagenfurt in the fall of 1930, as a representative of the Center Party. The great leader, Prelate SEIPEL, had unfortunately passed away too soon. His successors were pursuing a course of purely local politics.

Austria's fight for existence and the ever stronger controls of the interested great powers were followed with increasing interest in the Reich. Chancellor DOLLFUSS, a thoroughly realistic economic politician with agricultural experience gained in Germany and a variety of connections, had a very pleasing personality. I had come to know and like him on the occasion of several congresses of the Union of German Peasant Societies. When I had the responsibility of directing the policies of the Reich in 1932 I sought to support DOLLFUSS' efforts, and therefore in no way shared the policy which had been followed by the Reich Foreign Office up to that time: to prevent Austria in every way possible from restricting her independence through the acceptance of new international loans. This would, it was feared, prevent a union of economic interests with the Reich. During the Lausanne Conference of 1932 DOLLFUSS negotiated again with the Great Powers, in an attempt to clear his country of its desperate situation through a new loan. On the shores of this peaceful lake (Lake Geneva) we met for a detailed discussion. I promised him the Government of the Reich would not object to the acceptance of a loan in the future—in the certain expectation that his friendly intentions toward the Reich would in no way be altered thereby. I encouraged him to take as much as he could obtain. The predestined union of Austria with the Reich was only a question of time and the strengthening of the Reich itself. Such a dubious method as the sabotage of a customs union would be able to hold up the course of events as little as Olmuetz at one time held up the emancipation of Prussia.

DOLLFUSS was overjoyed. That evening there was an unforgettable ovation. The numerous German and Austrian students who were in Lausanne organized a reception for both of us. Our hearts beat faster as 'Deutschland ueber Alles' sounded under the flags of our two countries, and we knew that we belonged to one another—inseparable through a thousand years of a glorious past.

With the rise of as dynamic a political element as National Socialism in the political sphere of the Reich it was only natural that Austria, too, and her relationship with the Reich should be profoundly involved. All the more so since the founder and protaganist of the new doctrine was an Austrian. There developed immediately in Austria an NSDAP, which got recruits from all elements of the population, especially from the ranks of a radically inclined youth, who saw no hope for the future in a country reduced to misery and poverty by Allied shackles. Youth was crying for political freedom above all. Although the "Heimwehr" movement had brought these patriotic elements together before this, and had fought with them to free the country from Socialist pressure, yet they were armed only from the standpoint of domestic politics and remained aloof from all ambitions for a Greater Germany. The cause lay mostly in the Catholic nature of the country, and in the strong influence of the clergy in political leadership. The Reich was considered a bulwark of Protestantism, despite its more than twenty million Catholics. The anticlerical wave, which was dominant in the Reich under the leadership of Prussia, itself led by Socialists, appeared to have verified the fears of the Austrian clergy. For in spite of the Catholics at the head of the Reich—WIRTH, MARX, BRUENING—the Center Party had always only been able to put through its cultural demands by logrolling with the Socialists. There were at least two Socialist officials, university professors or teachers for every Catholic appointee. In contrast to the obviously badly functioning Weimar Constitution, there was an effort in Austria, under clerical leadership and with the strong support of the Vatican, to develop into a corporate state.

Those were serious obstacles on both sides. When, after the seizure of power of the NSDAP in 1933, as the first remedy against a new "Kulturkampf" I safely concluded the Concordat of the New Reich with the Holy See, my thoughts at the time were not focused only on the Reich. For a peaceful evolution of the German-Austrian question it was of the greatest importance that the doubts of the clergy on the Austrian side be vastly eliminated, by inspiring the internal German religious peace.

But it appeared as if the energy of the revolutionary movement which was set up after 30 January 1933 would upset all calculations. The waves of the inner-political uprooting of German life reached the remotest farm in the Austrian mountains. In order to give a common leadership to the NSDAP on that side of the frontier, HITLER installed one of his trusted stalwarts, "Parteigenossen" HABIG, at the head of this movement. Until this time he had worked as a clerk (Handlungsgehilfe) in Wiesbaden.

I, personally, never met HABIG. Contrary to the majority of the "Parteigenossen", he at least carried his convictions to the front and paid for it with his life. Unencumbered with historical knowledge and naturally without the least political insight into the far-reaching foreign complex of the Austrian question, he was the prototype of a revolutionary impressario. He had probably been promised the position of "Reichsstatthalter" in Austria by HITLER, as soon as the existing Austrian government had been overthrown by him.

When the DOLLFUSS government began to combat this revolutionary action and imprisoned several National Socialists, HITLER answered with the "1,000-Mark Block". By this order tourist travel from the Reich to the Alps, which had been very heavy, was completely cut off. Travel was permitted only to those who paid 1,000RM to the Reich. The frontier was now closed to thousands from the German middle-classes and the workers who were accustomed to spending their vacations in an inexpensive Alpine pension. Cultural contacts were also blocked. In Austria, hardest hit by this devilish measure were the small innkeepers in the many resort places who already were impoverished. And the total balance of payments of the Austrian government was hit.

I opposed the order in the cabinet most violently. Unfortunately, the foreign minister drew not the slightest inference from this order, the results of which should have been obvious, because of the drastic changes in political life. Matters became worse day after day, until DOLLFUSS finally was sacrificed.

An account of the circumstances which led to my nomination as Ambassador in Vienna, as a direct result of the DOLLFUSS murder, is worthy of a few prefatory remarks.

One who is acquainted with conditions in the Reich during the spring of 1934 knows that the militant sections of the Party, led by the SA and stirred up by the unscrupulous and hitherto unknown propaganda of Dr. GOEBBELS, were aiming at a second revolution. Their goal was the liquidation of the reactionary forces—repelled by the immoderacy of the NSDAP—which seemed to be everywhere at work. Further, the leadership of the Party was to be placed in the hands of the "fighting" members, the so-called "Stalwarts" [Alte Kaempfer], whose program ROEHM and GOEBBELS represented. Since the Party was threatened with being weakened by the admission of hundreds of thousands of every political color, and since the so-called "March Victims" [Maerzgefallene] occupied many an important position, the "Stalwarts" feared that they would lose their influence. The waves of this revolutionary propaganda flooded the country. Demonstrations, speeches, and meetings increased the tension.

In this highly explosive atmosphere I took my case before the public with a speech at the University of Marburg on Wednesday 18th June, which was given much attention. I pointed to the tremendous danger of this senseless propaganda, which threatened to throw the country into a new revolutionary adventure. I called for truth and clarity in all government measures, the security of the basic rights of the German people and the peaceful development of a social policy. My audience, the professors and students in the "Auditorium Maximum" of this ancient, venerable and cultured town, seemed at first paralyzed by such a speech, the like of which had not been heard by the German public for a long time. Then the hall broke out in joyful, even frenzied, agreement.

When I returned by plane to BERLIN, I learned that only one edition of the "Frankfurter Zeitung" had carried the speech. Its publication was said to have been suppressed by the Propaganda Minister, Dr. GOEBBELS. I went to the Chancellor and demanded the immediate cancellation of this order, emphasizing that it was impossible for me, the Vice-Chancellor, to come under the censorship of the Propaganda Minister. I attempted to make it clear to him that this speech was the last effort to silence an irresponsible revolutionary propaganda, a propaganda against which he, the Chancellor, had neglected to take any measures up to this time. HITLER sought to negotiate. He at least gave me that impression. When I had no success after 24 hours I handed in my resignation. There followed a very stormy session with the Chancellor who urged me to take back my resignation. It would only increase the tension in the country and hasten a new explosion. It would in no way pacify the Party radicals or the country.

During these days, while my attempt to resign remained in the balance, HINDENBURG implored me not to leave him. His health had grown visibly worse. The treatment of his bladder trouble confined him to his room, and visitors were no longer received. He was angered and embittered, both by the revolutionary methods of HITLER, and by being ignored, but he could not summon the strength for counteraction. So he fled from the turbulence of Berlin to the quiet of his estate in East Prussia, "Neudeck". Had he remained in the capital during the succeeding stormy days it might have been possible to induce him to have the army intervene, and it is quite possible that his return to "Neudeck" was planned by the wirepullers of the second revolution helped by MEISSNER.

The SA and all other forces which were headed for an outburst had undoubtedly seen in my Marburg speech, thousands of handwritten copies of which were being spread through the country, the first step by the "reaction". Therefore they pressed for a decision.

On Saturday 30 June, at 11 o'clock in the morning, while I was sitting in my office in the Voss Strasse, I was requested to come and see GOERING for a conversation. The gate of his palace was strongly guarded by police and Air Force elements when I arrived. I met him, with HIMMLER, in his office. He informed me that the SA had started a second revolution, that the Fuehrer had flown to Munich in order to liquidate ROEHM and his forces, while he, GOERING, had complete powers to clear Berlin. Fighting was said to be in progress everywhere. My life was supposed to be in the greatest danger. He requested me to go home immediately, and not to leave my apartment during the following days. He would post a sentry to look after my security.

I opposed this most strongly. I emphasized that as Vice-Chancellor of the government it was impossible for me to allow myself to be removed, that I was still Vice-Chancellor, and that I alone was responsible for the security of my person. Moreover, I carried a responsibility for the absent Chancellor, as indeed for the entire government, I asked GOERING for further information on the situation, about which I had known nothing, and suggested that the army be mobilized immediately in order to suppress the "Putsch". He said that that was already being carried out, but refused to give more information about the situation and the measures which he had taken.

Meanwhile telephone conversations were carried on and whispered information was passed on by HIMMLER from which I gathered that the SS was then occupying the Vice-Chancellory. I knew then that the blow was also directed against myself, the "reactionary Vice-Chancellor", and that GOERING was either trying to save my life from the revolutionaries or to have me killed outside the Vice-Chancellory.

GOERING accompanied me to my car after the stormy conversation, and requested me to go immediately to my apartment. A sizeable SS escort was on hand. It was a helpless situation.

As we were leaving I said to the police escort officer, "First I must fetch my documents in the Vice-Chancellory", and then shouted to the Chauffeur "Voss Strasse!"

Under any circumstances I wanted to try to get in touch with the gentlemen in my office. Before Voss Strasse 2 I found a strong array of SS men with machine guns in position. I rushed up, closely followed by my guards. On the stairs and before each room stood agents of the Gestapo with automatics. I was refused entry into the rooms of my associates. I went to my own office, where I found my desk torn apart and ransacked. I snatched up some documents. Since I was not allowed to see or speak with anyone of my associates, or even telephone, I finally left the house. We drove to my residence at Lenne Strasse 9, and found it already occupied by the SS. The surrounding area was blocked off. I was told that I was not to leave, and that I could not have any connection whatsoever with the outside. A police captain was stationed in my ante-room.

At this time, my wife and two of my daughters were making a week-end trip in southern Norwegian waters at the invitation of Herr ROSELIUS of Bremen. They received the news of the new revolution while at sea, and my wife had no idea whether she would find me alive when she finally reached the house on Monday evening. Luckily, my daughter Frau von STOCKHAUSEN happened to be visiting me. I was able to discuss my situation, which was completely unclear to all of us, with her and with my son, who was taking his legal examinations just at that time. He had seen fighting and shooting in the Tiergarten Strasse on his way home, and reached the house only with serious difficulty.

I pinned my hopes on the army. Generaloberst von BLOMBERG and the local commanders could not look on with complete indifference while the Party militia, led by adventurers of the worst kind—by homosexuals and pimps—set themselves up in state authority through a coup d'etat.

The Field Marshal lay fatally ill in "Neudeck". It was very possible that he, too, was cut off and had no information at all about the events. If, as I hoped, the "Reichswehr" put an end to this bogey under the leadership of a determined general, then it was very possible that all "reactionaries" who found themselves in the power of the revolutionaries, myself foremost, would be killed.

Thus I waited hourly to be led to my execution and arranged my final affairs with my children. Saturday 30 June, Sunday 1 July, and Monday 2 July passed by in the greatest tension for all of us, but without bringing what I feared.

From the window of my study, which opened onto the "Tiergarten", I could watch the traffic in the Lenne Strasse. I noticed that some of my friends, including, happily enough, the American

Ambassador, Mr DODD, were walking back and forth trying to determine if I were still alive.

When my wife finally arrived on Monday evening the 2 July she was able to give me the broad outlines of what had meanwhile been announced over the radio or in the press. It appeared that the Party, under the leadership of HITLER and GOERING, had broken the revolt. I therefore decided early Tuesday 3 July to get in touch with GOERING and to demand my immediate release.

There ensued a telephone conversation with GOERING during which he appeared most surprised and astonished to learn that I had been confined. The whole affair, he said, had been a very regrettable "misunderstanding" and he had simply intended to place an SS guard at my disposal Saturday evening "for the security of my person". Naturally I could leave my house whenever I wished. (Here I can add that in 1943 one of my friends told me that he was chatting one evening in Bucharest with a well-known Gestapo agent. By chance they mentioned me. Thereupon the man said that he had had orders to kill me, but that GOERING had prevented it.)

I then sat down at my desk and sent a letter to HITLER demanding to be received immediately. Meanwhile I had learned that during the occupation of my office in the Voss Strasse my press advisor, Major A. D. von BOSE, had been summarily shot "while attempting to resist arrest" and that both my personal adjutants, Herr von TSCHIRSCHKY and Graf KAGENECK, were arrested. I was told that HITLER wished to receive me immediately.

When I arrived at the Reich Chancellery I was told that the cabinet had just convened, and that I would find the Chancellor in the Cabinet Room. As I entered the chamber, I found the entire government of the Reich listening to a speech by HITLER, which apparently had just begun. The Chancellor rose when I appeared, walked towards me, and wanted to conduct me to my chair next to his. I told him that I simply wanted to speak to him alone, and had not the slightest intention of taking my seat in the Cabinet, from which I had resigned two weeks previously. HITLER appeared bewildered and excited. We went into the next room.

After I had given expression to my anger over the disgraceful treatment of the second highest official of the Reich, I told him that he certainly could not expect me to remain another hour a member of a government which stood for rule by murder and assassination, and was now publicly attempting to hide it. Needless to say HITLER attempted to defend the necessity of the action and declared the murder of Bose as lawful because he was liable to punishment for having carried on a treasonable conspiracy with the foreign press and besides had offered resistance when being arrested. I demanded proof and a thorough inquiry as well as the immediate release of my adjutants.

He said he regretted deeply my decision to resign immediately. However, he asserted that he would not be in a position to make this resignation public for a month or so, "so as not to disturb the calm of the public opinion".

I repeated that my political reputation demanded an immediate announcement. Under no circumstances could I bear to have the impression abroad that I remained in authority during the events of 30 June.

It was no use. Since the press was completely controlled by the government I knew that it was impossible to inform the public without his sanction. However, I hoped to be able to get in touch with HINDENBURG within the next few days. HITLER closed this conversation with the request that I would at least appear at the Reichstag the following day, 4 July, when he wanted to give the German people an account of everything.

Of course I kept away from this monstrous session in which he informed the astonished world that he alone would take full responsibility for the shooting of 80-100 persons who were murdered, guilty or not, without any trial. Their actual number was never published. But I learned that day that with the others, E. JUNG, a member of the New Conservative Movement [Jungkonservativen], who was closely associated with me, was also shot. My attempts to clear up this case had just as little success as in the case of BOSE.

E. JUNG had been in touch with me following my appointment to the Vice-Chancellory. I had not known him previously. He was a keen, intelligent person, a representative of the younger generation. The war and the years of sacrifice fighting the French for the Rhineland had hardened him, filled him with a tremendous zeal for the high political ideals of a conservative state leadership. When in 1932 I perceived it was my duty to inform the country of the grounds which finally led to the formation of the HITLER government and at the same time to warn that trusted conservative principles should form a bulwark against this revolutionary movement (see two volumes of selected speeches Oldenburg), I found in E. JUNG a pleasant assistant, with whom I could exchange views on these matters and from whom I drew much inspiration. When I was very busy he made many a rough sketch for a speech, though I edited and completed them according to my own taste. And if I express my thanks at this time to my murdered associate, whom I learned to esteem in the half-year of our mutual efforts—thanks for his selfless struggle, for his patriotic convictions—so may I also add that I have committed no spiritual plagiarism by publicly announcing the principles to which I have clung for my entire life. Unfortunately, E. JUNG was accustomed to overemphasize in opposite party circles the services which he rendered me. One may assume that this was the reason why his young, unfinished life was taken on 30 June.

On the day, 5 July, following the Reichstag session I learned that my failure to appear on the government bench caused a sensation. So at least I had the satisfaction of knowing that my closer friends saw in this an act of separation from this government.

In the afternoon of the 5th July, the Secretary of the Chancery of the Reich, Dr LAMMERS, appeared at my residence. The Fuehrer requested me to accept the post of Minister to the Vatican, with the added inducement that the question of salary would be settled as liberally as I wished. This was too much. I am a courteous man and was brought up to behave like a gentleman in any situation in life. But I threw Herr LAMMERS downstairs and told him to tell the Fuehrer that I considered this attempt to bribe me an extraordinary insolence! My wife witnessed this scene. For a long time she had had a strong dislike of any political collaboration with the Nazis and had always warned me with her unfailing instinct. This was the first time that I received her complete approval.

My attempts to get in touch with HINDENBURG were utterly in vain. One of my loyal associates, Freiherr W. von KETTELER, went at once secretly to Herr von OLDENBURG-JANNUSCHAU in East Prussia, who was a neighbor and an old friend of the Field Marshal. He hoped to inform the Field Marshal about the actual events and to be able to induce him to intervene. In vain! With the connivance of State Secretary Dr MEISSNER an impenetrable cordon was thrown about "Neudeck", and only persons approved by HITLER could pass through. How much of this was done with the agreement of the son of the Field Marshal I cannot say. I am of the impression that Oskar von HINDENBURG, who was deeply interested in political questions, could have broken through this ring—had he been convinced that the authority of his father must be used to save the sinking ship.

Later I went to my old friend SCHAFFGOTSCH, in the Riesengebirge, and attempted to reach "Neudeck" from there. It was all of no use. I was told repeatedly that HINDENBURG was so ill that he regretted not to be able to receive me. After his death one of the doctors who treated him told me that the Marshal often requested to see me during these days in July.

Before I left Berlin following these frightful days it was my sad duty to pay my last respects to my associate BOSE. His pitiable wife, with two small children and his father-in-law, General der Artillerie KUEHNE, were in despair.

The attempt had been made to deliver the dead remains of BOSE to a crematorium so that they would disappear without a trace, like the other victims of the 30 June. I requested—and received only after the strongest pressure—permission for an orderly interment and service. In the chapel of the Schoenberger cemetery, before he was laid in eternal rest and amid great emotion, I was permitted to dedicate a few words of thanks and recognition to this excellent man who died by the hand of a murderer. Naturally, it was my duty later on to take an interest in the widow and her children.

I may add in this very place that proof of any inadmissible connection of BOSE with foreign journalists was neither attempted nor produced. On the contrary, I learned from my associates that BOSE was in the possession of documentary evidence concerning the past life of HIMMLER—and had been killed for that reason.

After what happened in Vienna four years later, when my friend and associate Frieherr von KETTELER disappeared mysteriously and was later found murdered, I have not the slightest doubt that the same Gestapo agent, who was a member of BOSE's Press Section at the time, has both of these men on his conscience. My personal adjutants were soon set free. Herr von TSCHIRSCHKY's head had even been shaven like a criminal's in a concentration camp.

The evening before the murder of Chancellor DOLLFUSS I returned to Berlin to pack my things and to withdraw to private life. Suddenly, at three o'clock in the morning, there was a loud ringing of my doorbell.

SS men demanded admission. My son and I were of the opinion that I was going to be imprisoned. We went to the front door armed with pistols. Our suspicions were unfounded. The SS men declared that they had come from the Chancellery with the order to put through a telephone connection between HITLER and myself.

HITLER was in Bayreuth and had been trying for hours without success to get in touch with me. The connection was made.

HITLER started, "You know of course what has happened in Vienna. You must go there immediately and try to set things in order."

I replied, "I have no idea what has happened in Vienna. I have just returned from the country and I don't understand what you want with me in Vienna. I am in the act of packing my trunk to leave Berlin once and for all."

HITLER, highly excited, gave thereupon a short description of the dramatic events in Vienna which led to the murder of DOLLFUSS, and continued, "You are the only person who can save the situation. I implore you to carry out my request."

"After everything that has happened, Herr HITLER, you cannot expect me to undertake such a job without an exact knowledge of events or of the policy which you are thinking of following in Vienna. The 30 June has created an unbridgeable gap between us."

"Then at least come here immediately for a discussion. You have always shown a particular interest in the Austrian question. My special plane is at your disposal so that you can start at dawn."

I agreed, and flew to Bayreuth in the morning, 26 July. There I found HITLER and his entire entourage, excited as an ant-hill. It was difficult to get anything approaching an exact picture of the Vienna "Putsch" and the role of HITLER's promoters. Even if one had come into this gathering in complete ignorance of the different circumstances involved, one could have gathered with one look that they had a very bad conscience and now were fearing the consequences. From the very first moment I was certain that the immoderate policy of the Austrian NSDAP under the leadership of HITLER's condottiere, HABICHT, had led to this coup d'etat.

This was, then, a few days after the 30 June, the second bloody excess of the Party which had promised to bring Germany by peaceful means to social tranquility, welfare, and respect. It was obvious that both events had made a deep impression on the entire world, and that the government methods of the Party must damage most seriously the political credit of the Reich.

But above and beyond this I saw the solution of the Austrian question was now most likely quite impossible. The great powers, with their special interests in this small country, would strive more than ever to draw Austria away from the influence of the

Reich. They would attempt to create, even in Austria itself, through public defamation of such murder-methods, an atmosphere which would turn her away from the Reich.

It was not often understood abroad just what interests the Reich had in Austria. Our history was hardly known, especially in the USA, and it was never understood that BISMARCK's foundation of the Second Reich was, in his own opinion also, only a historically necessary temporary solution. BISMARCK's great statesmanship (confidence in the historical accomplishment of the Holy Roman Empire of the German Nation for the European family of nations) recognized very well the role played by the dual monarchy in the stability of Central and Southeast Europe.

When a well-known German historian once spoke to him very slightingly about METTERNICH and his policy, the Iron Chancellor replied with a laugh, "The policies of this man couldn't have been quite so bad. Otherwise the stability created at the Congress of Vienna wouldn't have kept peace in Europe for over half a century." His policy after Koeniggraetz, as in all the years before and after the Congress of Berlin, was based on a careful conservation of the Danube Monarchy. It is true that he had always refused to commit the Reich indiscriminately for some very special objectives of the Hapsburgs. His object was much more to make the "Ballhaus Platz" understand that the Reich laid the greatest value on the good relations between Vienna and Russia and that it would never allow itself to be misused for Austrian Near-East or Balkan aims. However, statesmen of the Versailles Conference were afflicted by a lack of knowledge of such historical necessities. When they decided to destroy the Danube Monarchy and the independence of Ostmark they evidently forgot the primary element, inherent in the 1,100-year-old history of "the Holy Roman Empire of the German Nation."

Mr Ernest BARKER, the editor of "Current Problems", wrote the following remarkable sentences about the idea of the Reich in a study, "Ideas and Ideals of the British Empire" (Cambridge University Press) published in 1942: "* * * the long tradition which associated some form of broad and super-national state with a mission of culture and a contents of common faith is an *imperishable tradition.* In some way, in some 'New Europe' or 'United States of Europe', the best of this old European tradition must be recaptured; and in some new body, which may bear no visible vestige of Empire, the secret heart of the tradition, throbbing with the movement of a common, human culture and a common Christian ethic, must resume its beat."

I could not give better expression to my own conception of the part of the Reich in the Central European area than Mr BARKER did in 1942, in the midst of the new conflict. If, for the British Empire, he uses the leading sentence, "Tu populos liberare atque educare memento", so does it have the same meaning for us and our tradition in the Central European area, although we have no colonial problem. Freedom from nationalistic thought and education for the duties of the European Family of Nations based on Christian, western ethics.

God grant that the men who desire to create a new Europe out of this flood of blood and tears will be better trustees of history than those of 1919.

After the treaties of the Parisian suburbs destroyed the Danube Monarchy and separated all non-Germanic parts from Austria it was only logical that BISMARCK's "temporary solution" should belong to history, too. Historically, ethnologically, politically, and economically everything now strove for the reunion of German-Austria with the Reich.

My ancestors, like the majority of the Catholic nobles from Westphalia, Bavaria, the Rhineland and Silesia, had for centuries dedicated their service to the old imperial house, especially since the Reformation, and greatly preferred it to service in Prussia or to their own courts. Countless threads of historical tradition and consanguinity remained alive for centuries between the Catholic circles of the Reich and Austria. If the Reich wished to fulfill its position in Central Europe as appointed by the Versailles Treaty, its organic connection with Austria was only a question of political logic. All historical parallels are lame; but what would an Englishman say if it were suggested to him that through historical tradition and common belief the relationship between Ulster and Great Britain must be broken since the union with Southern Ireland was just and Ulster's remaining with the United Kingdom would only strengthen its imperialistic tendencies!

While all these thoughts went through my head it was clear to me that the decision with which I was confronted at the time was fraught with the greatest responsibility. Even today, after it has been proven that our fatherland and its future have been destroyed for generations through an irresponsible, indeed criminal policy, I believe that after weighing the situation and the conditions at the time my decision was justifiable, yes, necessary.

HINDENBURG's attempt to bring back stability to the country through the inclusion of the leading party of the Reich in political responsibility was, I must admit today, in spite of all the security measures which we had endeavored to take, clearly near the breaking point. Every person charged since 1932 with full responsibility for the matter, every man in a leading position, could look into the future only with the greatest uneasiness. Was there a way out? The Party ruled the country. The enabling decrees, which the parties of the newly elected Reichstag had given HITLER, as well as the initiated dissolution of these parties, made a democratic control or at least an opposition on the part of the law-making machinery impossible. The one controlling factor, the Reichswehr, was on 30 June a tragic failure. HINDENBURG was fatally ill. Only the hope remained that the healthy mind and instinct of the German people would operate inside the Party after workers, farmers and intellectuals streamed into it in great numbers. There also remained the hope that HITLER would learn to change his political methods in the future as the result of experience, especially when he was openly and irresponsibly advised.

Under such conditions could I shrink from my duty, at least in the Austrian question, to do everything to save what could be saved after this catastrophe, and to attempt to restore the foreign political credit of the Reich? It was indeed no enticing task which lay before me and I did not have the slightest illusions about its inner difficulties. It would have been easier and certainly more pleasant, and in every respect would have corresponded more with the desires of my family, had I made a clean break with those people, with whom I had nothing in common as far as education and thinking were concerned.

In spite of previous insults against my person, I found that I could not shrink from my duty towards my country.

HITLER implored me, in lengthy expositions, to save the Austrian matter from collapse. I replied that I was ready to assist in principle if a number of conditions which I put forth were filled.

I explained to him that no matter how long the process took, the historically necessary union of our countries could succeed if and only if a policy of *peaceful evolution* were pursued. The first condition for winning back the confidence of Austria was the complete elimination of the German National Socialist Party from the interior development of Austria and at the same time the immediate removal of the present German leader of the Austrian Party, his trusted man, HABICHT.

The latter condition met the greatest opposition. The withdrawal of HABICHT at this moment would mean HITLER's confession of guilt for the murder of DOLLFUSS—"Perhaps in a few weeks". I replied, "If you place any value on my appointment HABICHT must be removed within 24 hours, personally, by you, in this very house, before my eyes!"

The struggle lasted for some hours. When HITLER saw that a compromise with me was impossible he came around. Besides my presence at the removal of HABICHT, I demanded a written statement of my terms and his signature. So I made a document which would guarantee me a free hand.

It contained the following basic demands:

1. The 'Anschluss' can be made only on the basis of a slow, peaceful evolution. In this question, which has cost so much common blood in the course of history and just recently, not a drop more of costly German blood will be shed.

2. All action of the German NSDAP in Austrian politics, directly or indirectly, is strictly forbidden by the Fuehrer to the Party organization.

3 The present leader of the NSDAP in Austria, HABICHT, will be recalled immediately.

4. As Ambassador in Vienna, I am responsible to the Fuehrer alone and to no other person. I have the right to report to the Fuehrer directly, at any time, in Austrian matters.

HITLER signed the document in the evening. At the same time, HABICHT arrived by plane and was removed of all his duties in my presence. (On the grounds of his services to the Reich, Herr von RIBBENTROP called this condottiere to the Foreign Office as State Secretary at the beginning of the war, in 1939!)

HITLER requested HINDENBURG to ratify my nomination and told the press—without my previous knowledge, that I had been nominated head of the Mission in Vienna. He had no knowledge of diplomatic etiquette and did not know that before the nomination of an ambassador is made public the government of the country to which he is accredited must have given its consent. He believed, most likely, that the nomination of a man who had filled the posts of Chancellor and Vice-Chancellor in the Reich would pacify somewhat the mounting waves of indignation in Vienna. But through the premature announcement of my nomination the Viennese government was offended again. This added to the general excitement. They had the feeling that they were intentionally not being treated as a sovereign state by the Reich. As a protest against such treatment Vienna considered refusing its belatedly requested consent. In any case a long time elapsed before an answer arrived. In every respect, therefore, my start was most discouraging.

I decided to postpone entering on my duties for a few weeks yet, in the hope that I should then find a more tranquil atmosphere in Vienna. My predecessor, Gosandter Dr. RIETH, was recalled and was handed over to a military court on account of his intervention at the 'Ballhaus Platz'. HITLER renounced his intention when I pressed him. The Counsellor of the Embassy, Prince EHRBACH, took charge of affairs meanwhile, and they were in good hands.

The Field Marshal made the last signature of his life when he signed the document of my nomination. A few days later he closed his eyes forever. His son, Oskar, told me that he was particularly happy to place me in the important post in Vienna and that in his last days he often asked for me.

The great, honest man with the kindest of hearts, revered alike as a soldier and as the head of the state, a participant at Koeniggraetz and a witness of the coronation of the Kaiser at Versailles, had declared himself in his old age ready to lead the defeated, humiliated Reich on to a new and peaceful development.

Providence had taken him from us at a moment of critical inner disturbance and fermentation, when only his authority supported by the wisdom of years could have saved the people torn by Party strife from further disturbances. It was fateful for German history that the Good Lord did not spare him for another half year, in the possession of his mental and bodily powers. As things stood, only one who had control of the Wehrmacht as a means of order as opposed to the militant sections of the Party and the police (GOERING), which now stood completely at the service of the former,—only such a one could prevent the further revolutionary development. When the Field Marshal nominated HITLER Chancellor he named a man who had his personal confidence, General von BLOMBERG, as Minister of War. This selection was to have the most critical effect for the future. For after the first two months Herr von BLOMBERG fell so completely under the suggestive influence of HITLER that he must be regarded as the "promoter" of the Party and of all its extreme desires. Apparently without the political insight and without a sufficiently high feeling of responsibility which a minister must possess over and above his duty toward the general well-being of the state, he fell completely under the influence of the Party machine which was only too willing to rearm the Wehrmacht under the guise of creating employment in order to use it unscrupulously in the end as a political tool. The picture of this man is completed by his lack of personal dignity which one would never have expected in a person of his origin and education and on which he eventually foundered. HINDENBURG would have turned over in his grave at such a complete lack of feeling of honesty and consciousness of duty, virtues which the Field Marshal so well embodied. The failure of the Army to intervene in the crisis of the 30 June 1934 most seriously incriminates von BLOMBERG, who was War Minister at that time. The excuse that a Prussian general never mixes in politics and has only to obey—this old military tradition of Prussia explains perhaps many things, also during the Second World War. But it is only a confession that the narrow military horizon has suppressed the development of personalities like YORK. And it is an astonishing coincidence that HITLER had the majority of such leaders shot—men who had the courage to act against an order in the military field and to act according to their convictions. And thus he later completely broke the army's back.

At least I was not prevented from seeing and paying my last respects to the dead Field Marshal once more. I entered the simple, plain chamber of death with a heart full of sadness. I found the high forehead and the eyes now closed, the distinct outlines of the fine head transfigured in peace, which alone is the eternal reward of so long and dutiful a life.

Bitterly I thought of the obstacles which opposed the peaceful completion of the reorganization of German political life that some of us had planned. The man who had overthrown HINDENBURG's decision of 2 December 1932 had now become a victim to the revolutionary movement himself, a movement which he had hoped at that time to master by parliamentary means. How different the course of German destiny would have run if General von SCHLEICHER had only continued with me the work under HINDENBURG! Not even a Jules Verne could have foreseen the disastrous end of this dream. The only thing now was to take courage and a sense of responsibility in both hands.

Early in 1934, when the Field Marshal's illness began, I discussed the question of his succession. Naturally, it was a question of the greatest importance and timeliness. HITLER had often assured me previously that he intended to put a Hohenzollern prince in the position of "Reichspraesident" after the death of the Field Marshal. If the experiment were a success a restoration might be considered later. First he wanted to strengthen the Reich inwardly and outwardly to make it a factor in European politics. The Crown Prince did not enjoy his favor. He asserted that the Crown Princess once said after a visit of HITLER to the "Caecilienhof", "The windows must be opened immediately in order to ventilate the place".

This story was certainly invented by Party people and anti-monarchists. For the proverbial tact of that high lady would never have permitted such a remark. So I recommended again to HITLER to enroll in his personal entourage one of the sons of the Crown Prince whom he found agreeable so that he would come to know him and give later developments a start. Prince August Wilhelm of Prussia, an enthusiastic Party member, could give him the best information about the character and attributes of his nephews. That HITLER was thinking seriously at the time of such a settlement of the succession I knew from an order which I learned about later. At this time he had had a detailed discussion with a Reich minister who was a party member about the later restitution of the crown and he said that he himself first wanted to play the part of Friedrich Wilhelm I, the father of Friedrich der Grosse, the father of modern Prussia. The accomplishment of this King should be popularized. JANNINGS the well-known great actor was commissioned immediately to produce a film which would serve the purpose. But before this decision could develop it was nipped in the bud.

HITLER made a trip to Rome to see MUSSOLINI. Naturally, he had to pay a visit to the King too. It appears that King Victor Emanuel, whose inner aversion to the Duce was well known, received the new dictator with cold politeness. MUSSOLINI probably did not withhold from HITLER how greatly the resistance of the crown and the so-called court circle had hampered his work. In any case, HITLER returned with the impression which he explained to me in words: "I would certainly be an anti-monarchist now if I had never been one before".

Meanwhile one could hope that such fleeting impressions would not remain nor the most important decisions be decisively influenced. It certainly could not escape a realistic statesman how clever MUSSOLINI had acted when he took stock of Italy's monarchistic convictions and attempted to unite the executive power and the leadership of the state in his person.

HINDENBURG naturally was a monarchist and would have gone to any lengths corresponding to the situation. I therefore suggested to him that he draw up a political testament in which he recommended to HITLER the restoration of the crown as a form of government which, after 1,100 years of experience, would best guarantee the German people the advantages of a wise constitutional leadership. This testament, as a legacy of the old

Field Marshal, could be used as a spring-board by HITLER to solve the question immediately, even against the certain resistance in his own Party.

Oskar von HINDENBURG gave me the testament after his father's death for delivery to HITLER. This is the text:

(Text of Testament) [Editor's Note: von Papen desired that the text of this pact be inserted here as it was not available to him at the time of writing.]

The testament never saw the light of day. Its existence has been kept a secret from the German people until today.

It is known that directly after the death of the President, HITLER usurped this position. Since that time he bitterly opposed monarchistic impulses in the population. Following the interment at Potsdam of the eldest son of the Crown Prince, Prince Wilhelm of Prussia, who fell on the field of battle—at which burial a large crowd was present—HITLER seized the opportunity to remove all princes of reigning houses from positions in the front line. Without exception these young princes had done their duty loyally to the fatherland; they fought on all fronts like any German grenadier. This order, excluding them from the military service, was a defamation which surely none of the reigning houses had deserved and which contrasted strangely with HITLER'S constant display of reverence for Frederick the Great and Prussian tradition.

And when Prince Eitel Friedrich died later—a prince who was widely known for his personal bravery at the head of a Guards unit in the First World War and who was completely nonpolitical—he had to be buried under cover of darkness like a dog. No soldier in uniform was allowed to follow his coffin!

The possibility of a restoration followed HITLER like a bad dream. Probably he realized that a large part of the people took a critical attitude toward his and the party's administration. He realized how deeply rooted in the people was the desire for a well run government which put the law ahead of force, in a manner similar to the one practiced by the Prussian Kings and other sovereigns.

The great funeral rites for the dead President at the site of his former renown, Tannenberg, assumed the form of a moving national demonstration, into which the obituary delivered by his unworthy successor struck a false note. The final words of his oration: "Great Lord of Battle, enter now into Walhalla!" themselves strangely contrasted with HINDENBURG's Christian belief. It was the manifestation of modern National Socialist paganism, contrasted with everything which called to mind unfortunately the principles of a thousand-year western civilization in Germany.

Back in Berlin, I requested Herr von NEURATH to come and talk with me. I gave him my conception of the future treatment of the Austrian question and found he was in complete agreement. Although I was directly responsible to the Fuehrer and was independent of the Foreign Office, I assured him that I would inform him of everything in order to maintain a common foreign policy in this matter. But I could not omit a reference to the criminal neglect of the Austrian question in recent years, to the necessity of making clear to the Reich Chancellor the impossibility of the behavior of the NSDAP in Austria, even under the pressure of my resignation. Then the catastrophic collapse of our policy would never have been possible there. I had the impression that the Foreign Minister, though as I knew, he exercised a moderating influence on HITLER, supported my own efforts seldom and unwillingly. And I know that he was unfortunately living in the fear that I wanted to remove him from his post. Many cabinet members had suggested that to me. FRICK said to me one day that my position in the cabinet as "Representative of the Reich Chancellor" was unsatisfactory in the long run because HITLER in no form whatsoever wanted to be "represented". I should take over NEURATH's post. The National Socialist ministers were of the opinion that he had perhaps the phlegmatic temperament for a good Ambassador but that he didn't have the initiative required of a Foreign Minister. MEISSNER, too, told me that the Reich President was ready any day to hand over NEURATH's portfolio to me. I didn't think of such a change. It seemed to me that the initiative influence in foreign matters was far less necessary than a "counter-pressure" against the countless measures and plans of the revolutionary dynamic with which HITLER and his crowd were moving forward.

For this reason alone, and with great uneasiness, did I worm my way into foreign questions because, most likely, I recognized more clearly than Herr von NEURATH the deplorable reactions of these new methods including the persecution of Jews and Christians on our foreign position. But no one is free of human weakness and I know from my own life that it is often hard to find the border between duty and opportunism. It became clear to me that Herr von NEURATH never became adjusted to his position, when, after his dismissal on 4 Feb 38, he permitted himself to be set aside with the post of "President of the Secret Advisory Cabinet". It is known that this "Secret Advisory

Cabinet" never met and Herr von NEURATH must have known that it was a pure farce. Finally, it became harder for me to understand that he allowed himself to be adorned with the dignity of a "Reich Protector" of Bohemia, where his good name and reputation were only the sign-boards for a policy which he later was not able to carry through. As Reich minister and experienced diplomat he could have had his doubts as to whether the decisions made in Munich in September 1938 were the last international effort to maintain peace. I wrote an enthusiastic letter to the British Prime Minister Chamberlain congratulating him to his action which represented an invaluable contribution toward the European cooperation. All of us, who did not attend the conferences, were happy about this big success, and HITLER's speech made a short time afterwards in Saarbruecken, came like a cold shower for us. It was the beginning of a further aggressive policy. There could be no doubt about it. And the occupation of Prague was definitely in contradiction to the solemn promise that in getting back the Sudeten countries the last territorial demand of the Reich was filled.

The fact that von NEURATH accepted the office of "protector" could only be considered abroad as his approval of HITLER's action.

It would be interesting to read sometime the memoirs of NEURATH's experiences. Then history would be able to judge him objectively, as indeed the rest of us, too. For this reason these remarks should in no way supplant the impression which I always had of NEURATH's fine, human qualities.

In the following period, when I was active in Vienna, he supported me, with only a few exceptions, very loyally.

On a gray October day in 1934 I got off a plane at Aspern to take up my new post. The way to my palace in the Metternich Gasse was hemmed in by police. But the public took little part in this. Most probably my arrival had been kept secret. Vienna made almost an empty, neglected, sad impression on me.

The old embassy was a house which united wonderfully the comfort of many large, roomy drawing-rooms with the possibility for great occasions. Our private rooms and my study were located on the ground floor. There was a great ball-room with many adjoining rooms, and a dining-room large enough to accommodate eighty persons on the first floor. My predecessor, Dr. RIETH, had furnished the ground-floor with valuable furniture of the period of Louis XIV. This was still there and made any removal of furniture from Wallerfangen superfluous. After a few changes which altered the coldness of my bachelor-apartment, it became in every respect a comfortable house. Various upper rooms were arranged for official use. The old portraits, which one of my predecessors had banished to the garret, were brought out again. For I found that the republic, too, was bound to cherish tradition. Prince ERBACH, my embassy counsellor, knew Vienna and the circles of its society intimately.

We soon struck up a friendship with him and his congenial, clever wife, a Countess Seceny, and I shall preserve till my last day this friendship for these two upright and honest persons. The Legation Counsellor was Herr von HEINZ, a rather reserved person, very loyal, tactful and knowledgeable; he was a grandson of HUMBOLDT and a scion of the TEGEL family. Then I discovered a Herr von HARFTEN, a man particularly suited for the difficult cultural task and upon whose tactful ability so much of the future depended. His frank, pleasant manner very quickly won my heart and it was a bitter blow to me that this excellent person and tireless worker fell a victim to the results of the 20 July 1944. Herr von NOSTITZ completed the political staff and he was always untiring in all matters of embassy etiquette. Oberstleutnant Muff, later General Muff, was assigned to me as Military Attache. He maintained good relations with the Army circles which were inclined towards National Socialism, but he had no contact with the far more worthy part of Austria. His inclination towards the Party brought him the post of acting Commander General of the Wehrkreis Hannover during the war. Muff was an intelligent, well-read man and it was a pleasure to work with him. The important position of Press Consultant had been held by Mr. von dem Hagen for years. His dependability, his industry and tact were solid as a rock. From the staff of the Vice-Chancellery I was accompanied by Freiherr von KETTELER and Herr von TSCHIRSCHKY, as well as by Amtswart TRAMP, who took charge of the funds which were at my disposal from the Reich Chancellery and who remained a loyal assistant during his life. GRAF KAGENECK stayed back in Berlin as liaison officer and took care of the apartment in the Lenne Strasse which I retained. Baroness STOTZINGEN and Miss ROSE, the secretaries, completed the staff.

A few days later I made my official call on the Austrian Foreign Minister, Herr von BERGER-WALDENEG, as well as on Chancellor SCHUSCHNIGG and President MIKLAS. The latter was a dignified figure, by occupation a high school professor, in whom were combined the customary authority of a teacher with the Austrian amiability and objectivity. The Chancellor was of quite a different type. I had met him before when, as Minister of

Justice, he had called upon me when I was Vice-Chancellor in Berlin. He was most congenial in his manners and in his person he combined the forms of a man of the world with great knowledge. It was always a pleasure to discuss matters with him. He like the President, stood with both feet planted in the firm Catholic tradition of Austria and the Reich and both were renowned for their exemplary family life. But I like to think that in SCHUSCHNIGG, who was completely absorbed and electrified by the political task which devolved upon him, the contemplative, pondered, disputable, and purely theoretical element outweighed by far the realistic. In the countless debates which I had with him during the course of four years, I often marveled at his clear-sightedness. But I found him seldom prepared to adopt a practical position upon which the historical evolution of our two countries might progress. It is possible that there was also an insurmountable distrust which would not allow him to reach this goal.

Herr von BERGER, as a young secretary, belonged to the Foreign Service of the Monarchy. As a member of the Heimwehr and a monarchist he had been entrusted with the Foreign Office. He performed his duty correctly, but without any particular zest or imagination, and everyone was happy that later he exchanged it for the Embassy in Rome. The basis of his policy was, rather than seek any sensible compromise with the Reich, to entrust Austria's unimpeachability to France and particularly to the care and support of MUSSOLINI. His office in the Ballhaus Platz was formed with this in mind. So among the leading figures my start was most difficult. My first reception was characteristic. The ministry at the Ballhaus Platz in which it took place, was surrounded with machine guns like a small fortress. At the entrance stood the official honor guard which intoned the Austrian national anthem and the Heimwehr song. In the traditional reception room, where METTERNICH once presided over the Congress and had shown Europe how the conqueror could treat the conquered impartially and wisely, there stood on a console before a crucifix the deathmask of DOLLFUSS. It appeared that they desired at the very beginning to present to the new and very suspect representative of the Reich the drama which had led to the rupture in our relations. The Foreign Minister and the Chancellor listened in icy silence to the declarations in which I attempted to outline my task—the continuation of a peaceful restoration of friendly relations, an evolution the object of which was the progressive and permanent understanding of the two brother countries. Without being directly offensive it was still the coldest reception I ever experienced in my life. While I was inwardly grievously disappointed that the Austrian government did not hail my arrival at least as a sign of good will for a new epoch, as a realist I well understood that it could hardly be otherwise. The combinations and the force with which the HITLER government was built, the many disputes almost resulting in my being shot—with their revolutionary spirit, my preoccupation for a cautious and peaceful treatment of the Austrian problem—all of this was unknown to the world and to these gentlemen. The idea of the Vatican circles, that I knew that HITLER would never respect the Concordat with the Holy See, and that I had merely played a political game in securing the Concordat, was also expressed by Christian-Social circles. They already regarded me with the greatest distrust because I had stabbed in the back the "Zentrum" Party and, in their opinion, removed its Chancellor, BRUENING. To all of them, I was a Catholic in a wolfskin, a dangerous man, whom one should be on the watch for.

On my way home from these receptions I felt that I had here a task which was beyond the power of one man. Would it ever succeed? The next visits were to the diplomatic corps. Without question, the French Ambassador, M. PUAUX, enjoyed the greatest reputation and the strongest position. He dwelt in that frightful Jugendstil palace which corresponded so little with the refined French taste of the seventeenth and eighteenth centuries but with which a bad architect had disfigured the Schwarzenberg Platz. M. PUAUX was jokingly referred to in the diplomatic corps as "a minister of the Austrian government". And so his position appeared, so unshakable was the trust of the Austrian politicians, oriented to the Quai D'Orsay, in the help and support of France. Like many important men of his country, he was not the witty or sarcastic, lively Frenchman, as for instance his excellent counterpart in Berlin, FRANCOIS-PONCET. His reserved, quiet manner was characteristic of the strict Calvinist which was in so many ways a contrast to his jolly Austrian friends. That his talents were highly esteemed is shown by his later appointment as General-Commissioner in Syria and Morocco. Naturally, he was, and in accordance with the policy of the Quai D'Orsay he had to be, my strongest opponent. As a member of the German-French Study Commission I had worked for the ten previous years sincerely and with the greatest inner conviction for German-French co-operation. So I attempted to convince M. PUAUX that it must be possible to come to an understanding in the realm of the Austrian question as well. But I never found in this official a conception of a peaceful, new arrangement of the Central European problem and I soon discovered that he held strictly to the lines drawn up by the Quai D'Orsay. Because of his excellent connections with the Austrian government and his social connections with the cosmopolitan part of the old nobles of the monarchy, he considered it impossible, until HITLER's entry in Salzburg, that the Austrian people in its overwhelming majority would approve of the "Anschluss". Even on the day before, M. PUAUX is supposed to have said as much to his government—just as Ambassador von MACKENSEN wired home from Rome that MUSSOLINI's position was stronger than ever when that very evening the Duce was taken captive by the F. M., the Duke of Abyssinia.

From this example one sees how difficult is it even for a clever diplomat with the best of connections to judge the interior situation of a country if he possesses no flair for the complexities of life.

Great Britain was represented in Vienna by Sir Walford SELBY. His palace was diagonally opposite mine. Sir Walford was versatile, amiable, and an impassioned sportsman. The Viennese would see him early in the morning, without a hat, returning from a long walk through the "Prater" or the "Wiener Wald". He loved to fish and hunt and rode a horse with enthusiasm, one which appeared to be his superior for they frequently parted company. During my career I have always esteemed diplomats who were born sportsmen and I have always got along excellently with them. For the most part they are frank, uncomplicated persons, and certainly Sir Walford SELBY was one of these. Could there be any better opportunity for a diplomat to come to a confidential talk with a colleague than during the hours of a delightful walk through the blooming meadows of Vienna or gathered around the fire of a hunting-lodge in the Austrian Alps, when the chamois, the result of a strenuous day, hangs before the camp door? In the hours of such mountain solitude one is accustomed to call the things one is talking about by their right name—the diplomat becomes human. And I have always discovered that in such an atmosphere men come closer together than at hundreds of cocktail parties or other such gatherings. Actually, Sir Walford was interested only superficially in the Austrian question which hardly touched British interests. But naturally he endeavored to inform his government exactly about developments. When I revealed my program to him, he told me that he had cabled it, word for word, to Downing Street. I promised him that I would inform him about everything with complete frankness. I kept my word, and he was always in a position to compare the opinions of the Austrian statesmen with the actual situation. He was happy, in the end, to be sent to Lisbon as His Majesty's Ambassador. His successor, Sir E. PALAIRET, was a completely different and unfamiliar type of British diplomat. A very cultivated and well-read man with diverse interests, and a convinced Catholic, he made an excellent impression in the Viennese atmosphere. I have always been sorry that our work and neighborliness was of such short duration.

The Italian ambassador lived in the so-called "Palais Metternich" likewise not far from my house. Signor PRECIOSI was in the tradition of the old Italian diplomacy and was no "arriviste" of Fascism, as both of his successors were.

His position was laid down by MUSSOLINI's decision, when the latter, on the occasion of DOLLFUSS' murder, had two Army Corps mobilized at the "Brenner". This gesture meant to HITLER: "Halt! Hands off Austria! I desire no such extension of the Austrian question, which is so closely connected with the problems of the South Tyrol in the Italian Kingdom".

It was obvious that the slightest strengthening of opinion for "Anschluss" in the Reich would encourage the resistance of the loyal Germans in the South Tyrol against the pressure methods of Fascism. The Duce considered Signor PRECIOSI too soft to lead a more active Austrian policy against the Reich. He soon changed him for Signor SALATA. SALATA was not a career-diplomat. He came from Trieste, was born there as an Austrian citizen, and therefore knew Vienna and Austria better than any other Italian. As leader of the "Irridenta" movement in Trieste he was called by the Fascists to Rome as a senator and was close to MUSSOLINI. His appointment to the post in Vienna was therefore at the same time a program for the future policy of the Duce, with which the Austrian government was in complete agreement.

At the very first glance one can see what obstacles opposed my policy, through the existence alone of the question of the South Tyrol.

Aside from the Great Powers, naturally I had a particular interest in the representatives of the Central European countries, especially of those states which succeeded the Dual Monarchy. In Hungary, which had been mutilated on all sides, as can easily be understood, any strengthening of the Reich was considered as a factor which would have to lead to a revision of Trianon. They had no objection to the "Anschluss" and considered that it would have a favorable effect for them against the oppressive methods of the Czechs, Rumanians, and Serbs, and against Hungarian minorities, as well as a weakening of the "Little Entente".

Thus I always worked with the Hungarian representatives in the greatest harmony and friendship. My friend, RUDNAY, himself of a rather phlegmatic disposition, was accustomed to seek the bases for his reports at my office. The regent, Admiral von HORTHY, had been particularly kind to me for a long time. And I was able to discuss with him over and over again, with the greatest frankness, all delicate political questions. This will be discussed more fully later. I bitterly deplore the frightful destiny which has overtaken not only him, this "grand seigneur" and kind man, but all of Hungary as well, a country which has always had my fullest sympathy and affection.

The Czechs always hated the old Austria. They were suspicious of the tendencies of Austria, in so far as it was a question of the restoration of the Hapsburg or of the "Anschluss" with the Reich. The estates of the old Austro-Hungarian nobles, which were mostly in Bohemia and Moravia, were in large part expropriated. Any strengthening of the Reich or the return of Otto and the old ruling class which aimed at the restoration of the Danube Monarchy caused them to fear for their independence. Their envoys therefore had the mission to fight both these tendencies. Large funds of the Czech government were spent for press and propaganda. The last envoy, M. FIERLINGER, is today President BENES' first confidant, and acts as his envoy to Moscow.

Yugoslavia's part was a bit different. The bitter fights on the Corinthian border following Austria's collapse in 1918 had not been forgotten; then the Serbo-Croats had tried to advance as far as Lake Klagenfurt (Woerther See). (Tito has repeated this move in these days!) Croatia, itself, which had so long been a faithful member of the crown of Hapsburg, now fought under MACEK unceasingly against the Belgrade unification policy. Belgrade feared a strengthening of the Reich less than the return of the Hapsburgs. This was understandable. Under the skillful and conciliatory policy of our Belgrade diplomat (HASSEL), the relations with Berlin had become trusting. Thus I found a very understanding partner for my policy in Mr. NASTASJEWIC.

Rumania had hardly any immediate interests, unless it was a desire to avoid a return of the Hapsburg at all costs, since Rumania had inherited Transylvania. Rumania's representatives were kind, hospitable people, contact with whom was easy and pleasant.

Bulgaria was represented by King BORIS' aide-de-camp of many years standing, Mr. DRAGANOFF. The policies of our two countries rarely clashed. Old allies, we commonly bore the burdens of the peace treaties, and hope for better times. Later I often met this attractive couple in Berlin. When the catastrophe of war was nearing its end in August 44, and I made my last return trip to Berlin via Sofia, * * * had become foreign minister of the Bulgarian regency government. He boarded my special car, and we had a last common hour crossing his country. His king had died. His country swayed between the German alliance and the Russophile friendship. German armies everywhere had been beaten. I could give him no more hope. But he did not think that a government would sweep him away four weeks later and shoot him.

Polish diplomacy was superbly represented in Vienna by one of its younger, most skillful men. Jan GAWROWSKI was young, of charming bearing, a very active minister, who sought insight into the complex Austrian problem from all available sources. He had initiative; he was respected and popular everywhere. He was an excellent horseman, hunter, and sportsman himself; the rare, human qualities of his wife made his home a center of social life. I hope that the close friendship which I and my entire family have held for these two people, has on their side, too, outlasted the drama which tore us apart in 1939 and inflicted such heavy wounds on Poland. If GAWROWSKI could have been the responsible leader of his country's fate, a solution of the Corridor problem would certainly have been reached, and would have made the European war avoidable.

Turkey was represented by short Mr. CEVAD USTUN, who was very friendly towards us. For many years later he served in the difficult and important Bagdad post. He has always proven his attachment to me.

Mr. MESSERSCHMIDT was the US minister. He came from Berlin, where he had witnessed the Jewish pogroms, which were incomprehensible to an American, and which furthermore touched most strongly on his personal feelings. It could therefore not be expected of him, that he would give the development of the National-Socialist government any chance. He was refutation all along the line. I feared, probably with justification, that his reports to the State Department about the Austrian problem lacked that objectivity which a diplomat should always preserve, in spite of any hurt personal feelings.. Switzerland and Sweden were well represented by Messrs. JAEGER and ANDEN, both diplomats of the old school. Belgium was represented only by a

Charge d'Affaires, whose interests were concentrated on cocktails. Holland's ambassador Mr. von HORN and his charming American wife contributed greatly to the social life of Vienna by exquisite musical soirees. It was a great satisfaction for me to be able to assist Mrs. von HORN, during the war from Baghdad and Istanbul, in succeeding to reach her home country. The "Souveraine Moltke Ritterorden" was also represented in Vienna. The Grand Master of the Orden Count CHIGHI had accredited the Count * * *. He and his always witty, mentally alert wife had become good friends of ours and have remained good friends.

This finishes the parade of the diplomats interesting us most. Except for the dean of the diplomatic corps, the papal nuncio SYBILLA. What I have said of Mr. MESSERSCHMIDT, applies in even stronger degree to this diplomat. From the first day I took office he met me with the greatest hostility, and never showed the least understanding of the precept "audiatur et altera pars". This is certainly surprising in a high prelate of our Catholic church, in a representative of the ministerial office. Probably I was for him the "Satan in Top Hat", that an American propagandist had labelled me. It was particularly painful for me, a firm Catholic, that he apparently did not think me serious in my great grief about Nazism's partly pagan ways, or sincere in my efforts to bring about a change in this particular field. The nuncio's hostile attitude could not fail to be reflected in the Austrian government, and in particular in the high Austrian clergy. I will return to this subject later.

Fortunately Msgr. SYBILLA was replaced after two years with the excellent Msgr. CICOGNANI, an understanding diplomat and a priest full of human goodness. After the "Anschluss", he represented the interests of the Holy See very successfully at the difficult Madrid post.

This short characterization of my Vienna colleagues and antagonists can best illuminate the extraordinary difficulties which my mission encountered.

The present lack of all sources and documentary reference material makes it impossible to give a historically correct plan of the happenings of the years which followed. I will therefore limit myself to a sketch of the conditions and development in general. I hope that I will be able later to supplement it with the aid of my own reports.

Austria's domestic politics were in a state of chaos when I took office, just after DOLLFUSS' assassination. The immediate consequence of the "Putsch" had been the confinement of all known

National Socialists in prisons and concentration camps. Nevertheless the movement continued its existence and soon began an underground reorganization. Meanwhile numerous followers had escaped to the Reich, and were gradually taken in here. HITLER, it is true, always denied that these refugees had contact with the Party, contrary to his own promise. The truth is that a thousand threads were being spun both ways, and that those revolutionary elements (who were later also organized by the Party) exercised constant pressure within the NSDAP—and thus also on HITLER—to speed up the "Anschluss". It is patent that infinite effort was necessary to neutralize this pressure for four long years, and to ward off the many attempts at a violent solution of the Austrian problem.

At first the Austrian Nazis, led by Gauleiter LEOPOLD, seemed to be convinced that their methods had brought disaster, and that it would be more useful to let me work in peace, so as to bring about more trusting relations between the Reich and Austria once again. They fought the "Heimwehr" movement, which had now become the most active factor in Austria's politics.

Unfortunately the leader of that movement was young Prince STARHEMBERG, who did not measure up to political requirements. The halo of a great name, a clean-cut, aristocratic appearance, and personal bravado gave him merely the outside appearance of a leader's personality. Beside him stood the much less scrupulous condottiere, Major REY, retired, Knight of the Order of Maria Theresa. It was claimed that he had taken part in the conspiracy against DOLLFUSS, and had gone over to the side of the "Heimwehr" only in the last minute. As usual, other opportunists pushed their way upward within the movement, in order to obtain good positions in civil service. There was no clear-cut, firm leadership; and—the cardinal error of the movement—there was no program for the solution of the German problem. It could not bypass this question if it was to become the people's movement into which SCHUSCHNIGG wished to develop it, in order to use it as a solid framework for his policies. STARHEMBERG probably lacked the farsightedness to recognize this necessity and thought it sufficient to act on the expediency of the moment. As I told him often in later years, he of all men should have recognized the necessity for a moderating counterpart to his opposition of and sharp criticism of Nazi methods, which were caused by the DOLLFUSS "Putsch"; a concrete and positive attitude towards the German problem would have been that moderating counterpart. People of German countries believed it safe to attribute an unerring awareness of national factors in history to STARHEMBERG, scion of that heroic defender of Vienna, of the man who had once saved the Reich at the last minute. The Prince himself had stood in the ranks of those fighters who defended the Prussian Silesia in 1920 against the Poles. Whether it was his dependency on Austria's clergy or a desire of his government, the fact remains that STARHEMBERG never took the right stand in this problem. This is what finally brought the failure of his organization. A fairer judgment about him will be possible, when the history of the "Heimwehr" has been written. The manner of his exit disappointed everyone.

Next to the "Heimwehr", a major role in Austria's domestic politics was played by the movement to restore the Hapsburg monarchy. Emperor Karl's attempts had failed. After Admiral HORTHY had quelled BELA KUHN's Bolshevik revolt, the Emperor went to Hungary, in order to reconquer that one country, at least. But HORTHY had to tell the Emperor that his stay would expose the country to utter ruin. To refuse the Emperor was so hard for HORTHY, the monarchist and faithful servant of his late Emperor Franz Joseph! HORTHY often described it to me.

"My duty to the country," HORTHY said, "required me to convince His Majesty that he could not stay. The Little Entente was armed to the teeth, and we did not have a single cannon. The Little Entente would have answered a Hapsburg restoration in Hungary with an immediate invasion from three sides; they would have destroyed the country entirely! The Emperor said that negotiations had been conducted with the Little Entente at his request, and everything was under control. I asked who had negotiated for him, and with whom. His brother-in-law, SIXTUS, he said, had negotiated with BRIAND. With SIXTUS, I replied, he had already had enough bad experiences. I offered to contact BRIAND immediately myself. If BRIAND'S reply was satisfactory, I would hand all power over to the Emperor immediately. His Majesty still thought that I personally clung to my post (of Regent); he offered to make me Duke of Otrano, and to award me the Grand Cross of the Order of Maria Theresa (I had the Knight's Cross of that Order). I replied that such purely personal considerations played no part at all at present; the thing was, to save Hungary. I immediately commissioned the French envoy, FOUCHE, to ascertain from BRIAND how the negotiations with the Little Entente stood. Twenty-four hours later I had the reply that BRIAND knew nothing of the whole story!"

It seemed that the old intriguers, Empress ZITA and her brother, again had their hands in the pie [Translator's Note: It is not clear whether this sentence is still part of the quotation of HORTHY, or merely PAPEN's own comment].

Later on the Regent told me often, that in his opinion a restoration must be viewed within the framework of the whole European development. Archduke Albrecht was often considered (as potential king of Hungary). He was a son of Archduke FRIEDRICH and the latter's wife, Princess CROY, who descended from the Arpads (Hungary's first royal house). This predestined him particularly for St. Stephen's crown (of Hungary). But this intelligent member of the Hapsburg family had buried his chances with the Hungarian people by his marriage.

When Emperor KARL had died prematurely, chances for his engaging young son OTTO improved. Emperor KARL was so strongly rejected, particularly in German circles, because his wife, the Empress ZITA, was feared or even hated everywhere. She was believed to be the prime mover, the puller of all strings. Ambitious intriguer that she was, she had in her day launched that notorious peace feeler through her brother, SIXTUS of Parma, without even notifying her German ally. She has never been forgiven this felony. Now she was only the pretender's mother, but still she cast her long, threatening shadow across the stage. HORTHY had been aide to Emperor FRANZ JOSEPH for six years. He has told me of the wedding of the then Archduke KARL, which took place in a small castle of the house of Parma near Wiener Neustadt. There was little room in the small chapel and in the dining room. Therefore all members of the imperial houses were requested to come without retinue. Only His Majesty the Emperor was accompanied by HORTHY, who thus became the only one in the exalted company who was not a prince of the blood. At that early date, he told me, he had the saddening premonition that this alliance would bring the imperial house misfortune. His premonition proved correct.

To return to the restoration movement in Austria in the 1930s. It was headed by Herr von WIESNER. His not quite Aryan extraction disgusted the National Socialists. They fought him to the hilt. It cannot be said that the movement ever assumed the volume which would have made it a decisive factor. The movement limited itself to the organization of traditional local celebrations. During these the pretender was represented by the clean-cut, dignified Archduke EUGEN, who was up to the best traditions in every respect. However, the movement was big enough to keep the always suspicious Successor States on their toes.

The monarchist movement also suffered from the cardinal mistake of the narrow limits of its political aim. If Austria could neither live nor die as a republic, why would it lead a better existence as a monarchy? The House of Hapsburg had played family politics too strongly during the last few centuries. And after the Congress of Vienna and the Peace of Nikolsburg it saw its German mission purely and solely in the twilight of conflicting European power politics. Archduke OTTO and his advocates did not seem to understand that now, with BISMARCK's interregnum smashed and the Danube Monarchy dissolved, the historic moment had come to achieve a unification—if only a limited one. Or was it again the hand of his mother who, as Princess of the House of Parma-Bourbon, refuted every idea of this kind? Of course, the movement was also backed by the older officers of the former imperial and royal army; one of the foremost was Generaloberst Prince SCHOENBURG-WALDENBURG-HARTENSTEIN, one time minister of war. The fact that the oldest son of the Duke was an enthusiastic pioneer of National Socialism is an example of the divided political orientation of even those old families. The younger officer corps, however, leaned more towards the pugnacious movement which revolutionized Germany. The leaders were General der Infanterie KRAUSS and Feldmarschall-Leutnant Frieherr von BARDORFF, long-time aide to the murdered archduke-heir-apparent. Freiherr von BARDORFF was head of the "Deutscher Club" in Vienna, a loose league of friends of the "Anschluss", who organized a series of political and military lectures during the winter.

The intellectual center of the Austrian side was the "Kulturbund". It comprised the cream of the old society, government diplomatic corps, universities—in brief, everybody who had name, rank, and influence in Vienna. The "Bund" was headed by Mrs * * * a many-sided, well educated, and gracious lady; her only point open to attackers was her not quite Aryan extraction. With admirable zeal and skill she knew how to persuade a number of important men of letters or statesmen to hold lectures each season. Thus she added emphasis to Vienna's and the government's reputation as a cosmopolitan center of Europe. These lectures were not always interesting. But "smart form" demanded one's attendance at the lecture and at the ensuing supper.

It is obvious that I had to pay the closest attention to all the above-named organizations, clubs, and programs. Agents reported on the lectures in the "Heimwehr", Nazi, and monarchist circles. I appeared seldom at the "Deutscher Club", as I did not desire to let my work appear as though I wished to promote the Austrian problem in this fashion. I placed infinitely more value on the winning of opposing groups, and, e. g., to gain influence on the "Kulturbund's" intellectual program.

The old Austrian society was divided in its sympathies and political views. They furthermore lost their focus in the collapse of the dynasty, whose highest court offices and hereditary positions they had held for centuries. There also followed a shake-up in land ownership. The conquerors had eliminated the Hapsburg dynasty. But they did not even grant the Emperor CHARLES an apanage, as England is granting it to every negro-chief, enabling him to lead a modest life. He was destitute. And the Successor States, except Hungary, had promulgated compulsory land reforms. They had expropriated much of the holdings of these large landlords, leaving them only their large castles, which they could not keep up without a large income. This was in particular the method of the Czechoslovak state, which had spared only those holdings whose families and owners had always been considered "Czechised" [tschechisiert].

Thus it came about that foreign diplomats could rent all of Vienna's big palaces, those architectural jewels of FISCHER von ERLACH and other masters. One exception was the property of Prince KINSKY. He was an excellent sportsman, the husband of the divorcee von MUMM, nee Baroness von BUSCHE, who unfortunately died at a young age.

The heads of most other great families thus lived in the country. Vienna saw them only in the winter. From time to time they showed up at the "Jockey Club".

I must tell a little episode concerning this club, which will better than anything else reveal the difficulties which awaited us. In the old days the "Jockey Club" enjoyed an excellent reputation. Like the "Jockey Clubs" of London or Paris, and the "Union Club" of Berlin, it presented horse-racing cards, including the big international trials at classic Freudenau. Everyone of rank and name in the monarchy was a member, even if his knowledge of horses included only the number of their legs. Now no horses ran in quiet little post-war Austria, and the Club led the existence of a Sleeping Beauty. But it continued to be a convenient meeting place with good drinks and usually dubious food, where one could find old diplomats or friends from the country for an evening of bridge. Its head at the time was Count Ferdinand COL-

LOREDO. In his younger years he had been in the diplomatic service. His elder brother was a leading personality in Austrian agriculture. I was President of the "Union Club" in Berlin, the German equivalent of the "Jockey Club", which had once been just as exclusive as its Viennese brother; I was furthermore a lover of horses, and a gentleman horseman [Herrenreiter]. Thus my admission to the Austrian "Jockey Club" seemed to be a matter of course. At one time our two clubs had had an agreement for mutually restricted membership for the duration of the presence of a member in the other capital. Furthermore the "Jockey Club", like the "Union Club", had always included the chiefs of all foreign missions among its members. In view of all this, I had the customary steps for admission taken by a member of the "Jockey Club", Count BERCHEM. To his and my great amazement Count COLLOREDO intimated to him that my membership was not wanted.

In any other such case I would have countered this unusual refusal with the cold discourtesy which such bad behaviour deserved. Here, however, the situation was different. The effrontery went beyond my person, and was obviously aimed at the Reich, which I had represented in Vienna. I pursued the matter further, and found that a large number of my friends considered COLLOREDO's procedure "impossible". This opinion was shared, among others, by Prince WINDISCHGRAETZ, the Counts WILCECK, Adolf DUBSKY, Carl KHUEN, Prince Carl KINSKY. I told Count BERCHEM that I would counter this effrontery by using my powers as President of the "Union Club", and would cause the withdrawal from the "Jockey Club" of all its German members (about 20) unless the case was settled to my satisfaction. This case created a sensation. Thanks to the efforts of my friend BERCHEM, it was finally settled satisfactorily. It will, however, be understood that I do not count the dinner given by Count COLLOREDO in honor of my initiation among those events of my diplomatic life which I remember with especial relish. The words which TALLEYRAND once threw in NAPOLEON's face could be applied to COLLOREDO: "Je n'aurais janais cru, qu'une haute personne peut etre si mal elevee".

It is with profound gratitude that I remember here the old, much-venerated Princess Sophie OETTINGEN-SPIELBERG, a granddaughter of Chancellor Prince METTERNICH. She kept her vigorous spirits until a ripe old age; she had inherited the entire political acumen of her great ancestor, and displayed fervid interest in all political problems. Her small palace, filled with so many souvenirs of Austria's great age, was a center of the old society. Her often significant judgment of men and things always hit the mark. The princess has cleared many a path for me, which would otherwise have remained blocked. During the first phase of old life in Vienna, when so many avoided the Metternich Gasse, it was she who always appeared at official receptions, unconcerned about possible criticism of the opposition. The same can be said about Prince WINDISCHGRAETZ, a son-in-law of the blessed Emperor FRANZ JOSEPH. From the very first the Prince took our side. I must not forget the many proofs of faithful friendship given us from the very first by Countess ELSE THUN and her brothers-in-law, Count Adolf DUBSKY and Count Carl KHUEN. We made many contacts with valuable and interesting people in the political salon of Countess THUN, a very intelligent, clever, and gracious daughter of the former Imperial and Royal Ambassador to Rome, Count LUETZOW.

To my pleasure and satisfaction I can affirm that by our last winter in Vienna the majority of my opponents had come to understand the loyal policy towards Austria which I advocated. This was particularly true after it had borne fruit in an amity pact with the SCHUSCHNIGG government, which I concluded 11 July 1936. With few exceptions my opponents had made peace with me.

The most difficult part of my mission was to overcome the antipathy of the high clergy. It certainly did nothing to smooth the path I had to follow. In vain I sought a conversation with the guiding spirit of the episcopat, the Cardinal of Vienna. The cardinal refused to receive me or to enter my house. As a native Sudeten-German, not Austrian, he could undoubtedly view the thorny problem of the "Anschluss" more objectively than, for instance, the Prince-Bishop of Salzburg, Dr. WAITZ. The latter bore the title of "Primas Germaniae"; he viewed the course of National Socialism with deadly opposition. Perhaps INNITZER himself was too passive a personality, too much under the influence of his Salzburg colleague. It was two years before a conversation took place between us. For this progress I am indebted mainly to Mr. von FAUNER, a man who is as excellent a human being as he is a priest. He had been an officer of the imperial and royal army, he did distinguished service in the world war. The experiences of this great tragedy had led him to the clerical profession. It is an old experience that persons who themselves have lived through many fateful experiences and who only late in life become priests, usually become excellent ministers and servants of the Holy Church. Thus, FAUNER too became an excellent clergyman who was well known and well loved in Vienna for his activity in charity. He had great influence upon the Cardinal. Later on, my relations with His Eminence became quite confidential. It was a special pleasure for me that, a few hours after HITLER's entry, I was able to arrange a personal meeting of these two men. I expected good results for the Austrian Church from this meeting. The good intention was there, even though the satanic doctrine of the leading people of National-Socialism had destroyed all these hopes and the Austrian Church was persecuted even more furiously than the Church in the Reich.

Today, at the end of the greatest of tragedies, one must admit that the Austrian Bishopry has been proved right. But at the same time this does not prove that history could not have taken a different turn. It also does not prove that everything we did and tried was wrong and uncalled for. It would be a sad fact if all human aspiration were to be judged by its success.

The Reich Concordat on the Holy See—as Pope Pius XII just recently stated again—was not made in 1934 in order to approve the National-Socialistic concept of the State nor the means which were used to carry out this concept of the state. It was made by the church hoping that it will have a moderating influence upon National-Socialism as far as its motive and anti-clerical tendencies were concerned. At that time this hope was my motive as well as it is now in Vienna. The Pope with whom—as a secretary of state—I had conferences about this matter at the time, certainly will not think today—despite all disappointments—that the attempt should not have been made.

Today, after 6 hard years of war, humanity looks with horror upon the heritage of the ideas of a state which finally had believed to be able to disregard the holiest principles of humanity in order to reach its goals. It made nihilism, which it pretended to fight, the substance of its doctrine. But this state does not mean the German people, as the conquerors of today maintain. And in Austria too, one cannot hold the Austrian people responsible for the persecution of the Church, the Austrian people which is traditionally and essentially really Catholic. Who knows the innumerable people in the Reich who have fought with determination against the unbelief, thousands of whom have paid for their fight with prison, concentration camp and death? At that time, in the years of the beginning, they were still hoping that after the first revolutionary period a turn to the better would take place. If the Austrian Episcopate would not have used his influence upon the chancellor and his government only in the negative way, even if it had not endeavoured to succeed in obtaining an actual autonomy in Austria with full freedom for the Church—perhaps much could have been spared Austria and also the world.

It was my first purpose in the diplomatic field to deprive the Austrian problem of its European character, and to develop it gradually into an exclusively internal problem between the Reich and Austria.

It therefore had to be my primary aim to convince the Vatican that a union could not endanger the Vatican's interests. A Concordat of the Reich with the Vatican had been my first attempt to prevent religious difficulties arising from Nazism's revolutionary doctrine; the attempt had obviously failed. Under the growing influence of his Party, HITLER sabotaged the Concordat. Rome was deeply disappointed and in the greatest excitement. But the very question of the "Anschluss", which was so close to HITLER's heart, was certain to afford a chance to change his attitude. After all, I thought, HITLER must recognize that the inner-Austrian resistance cannot possibly be removed if such anti-Christian methods are continued. HITLER himself was at least baptized as a Catholic, and (I said to myself) must know the Catholic atmosphere of his native country thoroughly. Perhaps we could obtain a declaration from the church authorities, indicating which items of the Nazi program the church approved without reservations, and which items it had to refute on principle. If such a declaration could be obtained, it would perhaps be possible to persuade HITLER to revise the Nazi program. Such a revision was no more than his duty as a statesman: to smooth the paths of foreign relations throughout the world.

The old Reich-German religious establishment in Rome, the "Anima", was headed by a very clever prelate, Bishop HUDAL. He followed religious developments in the Third Reich and the Austrian problem with fervid interest. I encouraged him to pursue these interests further. He then decided to write and publish a scientific study on the "Foundations of National Socialism". This publication was utterly objective. He recognized and strongly approved of the effort to lead a pitiless fight against Bolshevism's nihilistic tendencies, and to reach a social conciliation between labor and capital at any price. But Bishop HUDAL also stated unequivocally that this path is only open on the ground of Christian principles, and that all those Nazi program items must be eradicated which contradicted those unalterable principles in theory or practice. The Holy See viewed the attempt sceptically.

But it nevertheless gave its "imprimatur". Msgr. HUDAL had the book printed in Austria, and in its preface fully expressed the whole priestly passion for the finding of a right path in this most basic of all problems.

I had often spoken to HITLER about Msgr. HUDAL's work. I emphasized its great significance for the Austrian problem, and I found HITLER very interested in it. Now I requested Msgr. HUDAL to send the first copy to HITLER with a personal dedication. He willingly acceded to my request, and personally handed the copy to HITLER, who accepted it with thanks.

Then the Party's counteraction set in. The import of books everywhere was at that time strictly controlled. My demand for a permit remained unanswered. I again went to HITLER and pinned him down. He said that the agency concerned (SA Control Commission for Literature) had decided against admission of the book into Germany. I rejoined that the publisher had not intended to exercise pressure on the Party through mass distribution. The book was meant for a limited number of intellectuals, particularly for leading Party men and for him, the Fuehrer, himself; and that the book should thus finally bring about a serious discussion of the problem and a satisfactory, statesmanlike solution. Our conversation lasted for hours. Every time when I thought I had convinced HITLER to see and act my way, Herr BORMANN entered the conversation. At that early date BORMANN already had decisive influence on HITLER, which I had ignored until then. This Party fanatic, a former teacher, was filled with an inexplicable hate of all Christian principles. He said that this book would be blasting powder to the Party, and that its admission could not but spell disaster. And as soon as effect on the Party was mentioned, all statesmanlike considerations seemed to recede far into the background of HITLER's mind, and he reversed himself. Thus I finally succeeded—after weeks of struggling—in having only 2,000 copies admitted into Germany for distribution to interested notables. Probably Herr BORMANN confiscated the majority even of those, and thus sabotaged my effort completely. Msgr. HUDAL was disappointed and crestfallen. This made me painfully sympathetic toward him, since he had risked his reputation and position in Rome with this effort, moved by a warmblooded priestly and patriotic heart. To me the affair meant a new setback and a disappointment. But I had no right to give up the game as long as a chance remained.

Austria gradually began to calm down. I never rested in my efforts to convince the world around us of the change which had taken place in HITLER's policy. These facts helped to remove the "Anschluss" problem more and more to the academic field. The Successor States were satisfied that the idea of a restoration made no progress, and was being fought to some extent by us, as well as by them. The interested major powers, particularly Italy, turned their attention to other pressing problems, and busied themselves only in general with the phenomenon of Germany's growing power. The Duce especially found in the New Reich a strong ally in his fight against the poor conditions of the Peace of Versailles. HITLER cleared up the Duce's concerns about the South Tyrol. He abandoned this oldest and most faithful part of the old Reich to its fate.

On New Year's Day of 1936 the Austrian president's good wishes were transmitted to me by Dr. Guido SCHMIDT, then on the staff of the federal president (of Austria), and later minister of foreign affairs. On this occasion I asked him whether he did not think the time ripe for decisive measures from both countries, in order to remove the rubble left behind by the assassination of DOLLFUSS. Dr. SCHMIDT assented, and promised that he would loyally co-operate in this task.

On that day began a trusting collaboration and personal friendship with this sympathetic, and very talented man and his charming wife.

Through his assistance the German-Austrian treaty of friendship was signed 11 July 1936. Dr. SCHMIDT had succeeded the intransigent Baron BERGER: the latter had withdrawn to the post of ambassador to Rome. The entire Vienna diplomatic corps felt relieved, for the Wednesday receptions at the Ballhaus Platz were from now on filled with really productive discussions, and with good work.

This treaty was meant to bring about a lasting relaxation of tension and a normalization of the German-Austrian international life. The preparations for the treaty were not as simple as it may seem from this report. Though resistance had to be overcome on both sides, negotiations had to be conducted with the utmost discretion, in order to avoid sabotage by outsiders or by the Party. For HITLER, of course, the proposed pact never went far enough; for the federal chancellor (of Austria) it went much too far in the concessions demanded of him. The announcement of the pact was like a bombshell. It read as follows:

[Editor's Note: von Papen desired that the text of this document be inserted here as it was not available to him at the time of writing.]

When I told HITLER of the signing of the pact by telephone, he poured forth a stream of invectives, instead of expressing his satisfaction over the work, which had really not been simple of accomplishment. He said that I had seduced him to make too far-reaching concessions, in return for only platonic concessions, which the Austrian government would not live up to anyway. He was just being taken for a ride. He seemed extremely upset and out of sorts.

The only answer I could make was that my office was at his immediate disposal, if he found my accomplishments so poor. Meanwhile the press of the world had gotten hold of the event and with undivided approval welcomed the progress which had now been made, two years after the catastrophe of the assassination of DOLLFUSS. Even those countries which had displayed the bitterest opposition to an "Anschluss" now refrained from any objection to the Austrian government's declaration that Austria regarded herself as a "German country", and intended to regulate its relations with the Reich in that sense. This was the best proof for the extent of my success in removing the Austrian problem from discussions of foreign policy to the peaceful field of an inner-German debate. HITLER only came round after he had learned of this success among world public opinion, which he had not expected. He had the Secretary of State in the Reich Chancery, LAMMERS, invite me to the Bayreuth Festivals, where HITLER was at the time.

I answered Mr. LAMMERS that I had no reason to accept the Fuehrer's invitation, in view of the preceding discussion. I refused. For several days following he tried to change my mind. Finally HITLER sent word to me that he sincerely regretted his initial criticism, and that he again asked me to accept his invitation. I flew to Bayreuth and found him in fine fettle. His mood, I suppose, reflected the jubilation which rose from Germany and Austria; jubilation over the apparent end of the terrible fratricidal dispute, in which the people on both sides of the Alps had taken active part. As outward sign of recognition HITLER gave me the title of Ambassador. I recognized much later that HITLER's complex character never knew how to judge a fact in its purely state-political merit. His talents as a statesman apparently were not sufficient for that. Here he only approved after world public opinion had reacted favorably. He denied the success of Munich, because he saw that the British press and others exercised criticism and recommended precautionary measures for the future.

During my stay in Bayreuth a decision was made, which proved of most fateful portent for the Reich's future. Our Ambassador to London, Herr von LOESCH, had suddenly and unexpectedly died. The post had to be filled anew. During one of our conversations HITLER suddenly asked me, whether I felt like going to London.

The question was a surprise. After all, the work in Vienna was only half finished. I replied that I would be loath to turn this project over to others, just when it had successfully advanced through its first stage, adding that the London post was undoubtedly one of the most important, and interesting for Germany. Regarding the solidification of our foreign relations in the world, I said, London even took precedence before my mission to Vienna. For only in agreement with Downing Street could a fulfillment of our wishes for evolutionary removal of the fetters of Versailles be hoped for—whether it be the "Anschluss" problem, the Corridor, the equality of armament, etc., etc. If HITLER were serious about his question, I said, I would think it over thoroughly.

During the further course of our conversation I told him that my consent in any case required one condition: I would demand a guarantee that the RIBBENTROP Office (Buero RIBBENTROP) must exercise no influence whatsoever on London.

This brings me to some brief remarks about Herr von RIBBENTROP and his Office. I don't know when Herr von RIBBENTROP first met HITLER. I only know that he had put his Dahlem (Berlin) house at HITLER's disposal for the conferences which I had to hold with HITLER before 30 January 1933 on HINDENBURG's orders. I knew Herr von RIBBENTROP from World War I, at the end of which he was in Turkey as a young lieutenant. Certainly Herr von RIBBENTROP must have thought highly of his efforts in HITLER's rise to power. For shortly after 30 January 1933 he approached me with the request to help him to get the position of a State Secretary in the Foreign Office. I was rather astonished. For, as every initiated man knows, a state secretary requires an extensive knowledge of all foreign problems and also, of course, a thorough familiarity with the entire circle of people who are employed in any and all foreign posts of the Reich. It would be much easier to change a Foreign Minister than his State Secretary, for the latter must be the fixed pole of the ministry. I knew that Herr von RIBBENTROP had social ambitions. Frequently he had invited the ambassadors of foreign powers to fine dinners at his house. But it was news to me that he thought himself qualified for the part of a Secretary of State in the Foreign Office. I told him that I had no influence at all over the filling of this position, which was then creditably occupied by Herr von BUELOW, and that the appointment was in the first place up to the Foreign Minister, Herr von NEURATH. I advised him to write a paper regarding the Reich's foreign relations, indicating his proposals for a policy to be conducted by the HITLER government. The paper was sent to me. I forwarded it to Herr von NEURATH with the request to examine it and to decide whether the author was qualified for the post he was interested in, that of State Secretary in the Foreign Office. Herr von NEURATH seemed somewhat put out, for he declared, a bit rudely and perhaps unfairly, that this was the work of "Garlchen Miesnick".

Thus this attempt proved vain. But RIBBENTROP's intimate relations with HITLER permitted an early new attempt.

HITLER was by nature skeptical about all reports of the Foreign Office. He mistrusted all people whom he did not know personally, or who were not followers of his Party. After all, what could ambassadors or envoys accomplish who were either descendants of reactionary noble families, or, anyway, had no idea of the Nazi ideology! It was Herr von RIBBENTROP who complied with this desire of HITLER's to supplement or prove as false the reports of the Foreign Office.

Large amounts of Party money were spent on the establishment of a "RIBBENTROP Office" on the Wilhelm Strasse, facing the Foreign Office. The RIBBENTROP Office contained sections (Referate) for every country in the world, and finally had a larger staff than the Foreign Office. The staff was made up from unemployed journalists; young businessmen who had gone bankrupt abroad or had found no future there; writers and people whose linguistic genius had been established by their passing of an interpreter's examination; and young members of the NSDAP, who had a desire for quick ascension of the diplomatic ladder.

Members of the RIBBENTROP Office contacted and buttonholed foreigners of distinction as well as newspapermen, merchants, bankers, or industrialists who were passing through Berlin. Whenever the people seemed of some importance, they were asked whether they were interested in an interview with the Fuehrer. Many people, particularly sensation-hungry journalists, thought that was great sport. Then the RIBBENTROP-men went to HITLER and told him they had this or that highly influential personality, or this or that journalist of world renown, available; it would be a unique opportunity for National Socialism to grant the man a long interview. The Foreign Office never brought such interesting people before HITLER. Not only that; it seemed to show an outright aversion to certain newspapermen, whose publications were never controlled, and whose interviews had often done harm to the Reich. The RIBBENTROP Office, now, worked a different way, that one had to admit!

After all, what was the value of reports from chiefs of missions abroad, when much more satisfactory contact could be established with major British newspaper interests through the intermediary of a Princess HOHENLOHE, who lived in England and maintained intimate relations with Herr von RIBBENTROP? It was furthermore easy enough to brand the Foreign Office's opinions of certain foreign statesmen or governments as false or biased, simply by quoting the inevitable opposition to these statesmen or governments in their own country. All that was necessary was to translate interesting clippings from the world press for HITLER. Unfortunately, he knew no foreign language and was not capable of forming his own picture from the foreign press.

I believe that HITLER soon gained the impression that the RIBBENTROP Office served him much better and with more inside information than his Foreign Office; e. g., it was a matter of policy in the foreign service not to transmit information to Berlin until the chief of the mission was convinced of its authenticity. The RIBBENTROP Office was not burdened by the necessity of checking reports, and could therefore bring sensational reports before HITLER much faster. Generally speaking, such a ministry without responsibility was a fine thing altogether!

I have never been able to understand why Herr von NEURATH did not defend his legitimate interests by either putting an immediate end to this nuisance, or by resigning, if HITLER could not be persuaded.

These preliminary remarks about the "Buero" will better explain why I made the request referred to above, before accepting an Ambassadorship to London. Fortunately, the "Buero" had never had a chance to tangle with my Vienna work, since I had made myself independent of the Foreign Office and reported to HITLER personally, as stated above. HITLER also knew that I would never have put up with it.

HITLER seemed surprised by my demand, which is understandable in the light of the high esteem in which he held the "Buero". He asked for my reasons. I said there could always be only one responsibility, one channel of reports, and one policy. This set HITLER to thinking. Herr von NEURATH arrived at Bayreuth the next day. I talked to him about Austria and then familiarized him to some extent with my conversation with HITLER regarding London.

Herr von NEURATH expressed his disapproval with both hands. "No, no", he said, "Herr von RIBBENTROP must go there. That is the only way to rid us of him and his office". I said, "I understand, NEURATH, that you would like to get rid of this uncontrollable institution. But what will RIBBENTROP make of that important post?" "On the contrary," NEURATH replied, and a broad smile lit up his jovial countenance. "In not more than three months there he will have worked his ruin, and that will be the end of him once and for all."

"That might turn out to be a very risky business," I concluded. NEURATH left me with a shrug of the shoulders.

HITLER never came back to his offer. Obviously NEURATH backed RIBBENTROP's candidacy strongly. He must have regretted it bitterly later on. The course of history has shown that Herr von RIBBENTROP, although making a very bad position for himself in England, did not ruin himself in HITLER's eyes, but appeared as an intimate of British politics and British affairs in general. HITLER based his aggressive policy against Prague and Poland on RIBBENTROP's phantastic conception that the British Empire had passed its pinnacle and would never again defend its existence with the sword. There will be more to be said about this later. NEURATH's mathematics did not check! RIBBENTROP far from worked to ruin, replaced NEURATH 4 February 1938 as Foreign Minister, and, with his theory of the British Empire which was no longer ready to fight for its existence, smoothed the path to war and catastrophe.

I left Bayreuth refreshed by wonderful performances of "Lohengrin" and "Parzival", but discouraged by the incoherent work of my former ministerial colleagues.

The treaty of 11 July also brought about a noticeable relaxation of the tension within Austria, now finally, after the lifting of the 1000 mark limit; peaceful German tourists again climbed the mountain slopes, and relaxation again became normal. The press, too, endeavored to measure up to the spirit of reconciliation. On the other hand, points of friction, party organizations and their revolutionary forces continued on both sides of the fence. The good will of the rulers alone was not enough. And that will obviously strove for other aims, in Vienna as well as in Berlin. HITLER and his Party wanted the "Anschluss"; SCHUSCHNIGG would not once consider giving up Austria's sovereignty. But he might have been ready for a joining of forces in certain cultural and economic endeavors, if he had felt assured that he would not open a breach in his system of defense.

I still had a basis for the continuation of my policy in HITLER's written obligation to seek the "Anschluss" only through peaceful, evolutionary means. The first stage was past. The really difficult work was now to begin; and the first difficulty was to curb HITLER's stormy desire for quick results. Simultaneously I had to endeavor to find a platform on which the federal chancellor (of Austria) could advance along paths of common interests with us, without prejudicing his proud sensation of independence.

It is very difficult to recount the work of the two following years without reference material, data, or notes. The events remain in my memory only in outline; I hope I will later be able to expatiate on them with the aid of documents.

The following was the path which seemed to us at the time to lead to a slow, peaceful growing together of Austria with the Reich:

To begin with, the political side of the problems must be kept dormant as much as possible; at least until the interior revolutionary development of the NSDAP in the Reich had progressed to a healthier condition. Only then could one endeavor to do away with the reservations made by the Austrian government. But until then very good work might be done in the economic and cultural field. Germany travelled new paths to abolish its mass unemployment. Work was again done everywhere. Life was off to a new start, and labor was not the last to hail it.

Austria suffered from the same symptoms. Austria could apply similar methods and go along part of the way with us, in order to improve its economic conditions. Commercial negotiations were scheduled. Dr. SCHACHT visited Vienna. He was the inventer of the system for conducting foreign commerce and earning foreign exchange without having a gold standard at home. His negotiations included also a meeting of the German-Austrian Chamber of Commerce. When one of the gentlemen urged fast action, Dr. SCHACHT smilingly spoke the unforgettable words: "Why all this Jewish rush, gentlemen? After all, the Third Reich is to last for a thousand years!"

Austria's principal financial figure Dr. KIENBECK would not make friends with SCHACHT's methods and proposals. And the federal chancellor showed little initiative, even in those fields which included no risks for Austria. Work required the utmost patience. Understanding and confidence on both sides had to be created with much laborious detailed work.

My particular endeavor was to revive the old traditions; the Prince Eugen Memorial Celebration offered one of the opportunities thereto. Then later Field Marshal LIST visited Vienna at the head of a German military delegation; many valuable contacts of the old fraternity under arms were revived. Learned men and artists of repute came to give lectures. Here, too, I had to fight hard in order to prevail over envy and disfavor. This was clearly demonstrated by the Salzburg Festivals, which had acquired European fame, but were viewed by Dr. GOEBBELS with jealousy. He attempted to sabotage the Festivals by forbidding the participation of world famous orchestra leaders. His pretext was that Jews were employed at Salzburg. There was, e. g., REINHARDT, the unforgettable former chief of the German Theater in Berlin, a man of undeniably great artistic dimensions. His production of HOFFMANN's (HOFFMANSTHAL's) "Everyman" on the Cathedral Square has remained an unforgettable event to me and everyone else fortunate enough to see it. I happened to sit next to a high dignitary of the church. After the performance he said to me: "Such a performance has more effect than 100 missions could have". Herr GOEBBELS had reason indeed to envy the level of the Salzburg Festivals with their unique open-air stage in the former Prince-Episcopal Bridle Path in the Rocks (Felsenreitschule), and with the pleasant Playhouse (Schauspielhaus), with their famous cathedral concerts, and the MOZARTEUM—in the unforgettable beautiful frame of this idyllic city and castle. GOEBBELS with all his propaganda could not produce a similar effect. However, after a laborious struggle I usually did obtain the necessary German personnel for Salzburg.

I am certain that the Salzburg atmosphere did more towards a mutual understanding than all of the Party's propagandistic measures put together. A Reich-German exhibition also made the Viennese better acquainted with our efforts in architecture and painting: the exhibition's liberal plan of super highways and public buildings showed the dynamics of the new era. From time to time, however, unfortunate misunderstandings cropped up. After Foreign Minister Dr. Guido SCHMIDT's visit of introduction to Berlin had been accomplished according to plans, and had created much sympathy for the young statesman there, Baron von NEURATH acceded to my request for a return visit.

The Austrian NSDAP profited from this occasion to stage a big demonstration. When we drove down Mariahilfer Strasse from the Westbahnhof [RR Station], thousands of people circled the car of Dr. SCHMIDT and NEURATH, and my own. The police were powerless; it took us some time to free ourselves from the crowd which was screaming "Heil Deutschland" and "Heil Hitler". In the evening the federal chancellor gave a dinner at the "Belvedere". It had been arranged with much care; SCHUSCHNIGG delivered a very cordial address. Unfortunately, Baron von NEURATH is not an accomplished speaker, so that neither the content of his reply, nor the warmth of his voice came up to my wishes. On the day of his departure I sponsored an 80-plate dinner, followed by a reception for the diplomatic corps and Vienna society. Everything went very satisfactorily. Herr von NEURATH had the opportunity to exchange ideas with many interesting men, and could observe the changes of atmosphere which had taken place since DOLLFUSS' tragic assassination.

Then came the discord which almost cancelled all the results of that visit: One hour before NEURATH's departure I was informed that all the streets to the Westbahnhof had been blocked by thousands of "Heimwehr" people. The federal chancellor, upset as he was by the Nazi demonstration on the day of arrival, had decided to afford von NEURATH an opportunity to see with his own eyes that Vienna contained also non-Nazis. He had ordered a mass appearance of the "Heimwehr". They and the police were to nip in the bud any Nazi demonstration which might be planned. It was a calamitous situation, which could easily result in bloodshed, and ruin the laborious achievements of my policy entirely. I therefore directed Herr von NEURATH simply to leave from another station, to avoid the crowded streets. He refused. The ride to the Westbahnhof proceeded stormily. The unbridled mob shouted "Heil Austria", "Heil SCHUSCHNIGG", "Down with HITLER". Fortunately enough, Herr von NEURATH was brought to the station unhurt; there was no blood shed except for a few brawls. When I took my leave from the federal chancellor after NEURATH's departure, the chancellor merely smiled and seemed well satisfied with the "show". I mourned the broken chinaware.

Vienna had always been a center of classical music. On the neutral ground of that art hearts could meet more easily than on the thorny paths of politics. Thus it was my particular pleasure to entertain Vienna society with good concerts. The annual center of the pleasures of the winter was a big music festival directed by Prof. KLEWING. One concert was dedicated to MOZART. Another time there was a "Marquandt Bouquet", with selected song and sonnets from that Vienna era. Then there were, for a pleasant change, "Hunting Songs of 5 Centuries", presented in the costumes of their periods, and played on the old instruments. On such evenings the festive halls of the Metternich Gasse saw everyone assembled from the federal president, the government, and the diplomatic corps down; every person of influence, position, and renown. The performance found wide acclaim, and made the German Embassy one of the spiritual centers of Reich-German thought.

During these years the writing of history too, finally, abandoned the small-German (klein-deutsch) point of view, which had viewed everything through the eyeglasses of either Prussia or Austria. Frederick the Great and his erstwhile great adversary, Maria Theresa, were for the first time recognized in the respective opposing camps with the respect which is due those two great personalities of common German [gesamt deutsch] history.

The eminent historian, Prof. SOBIK, can claim credit for having for the first time opened the eyes of all Germans to the merits of the House of Hapsburg in the service of the Reich. Simultaneously he demonstrated to the Austrian particularists that Prussia's achievement and Bismarck's creation of the Second Reich were justified, and historically well-founded. Of course, this recasting of historical thought and feeling exerted stronger influence on youth than on the older generation, which had grown up under the prejudices of former days. It is therefore to be hoped that the eventual overthrow of the specifically Prussian or Austrian point of view, in favor of a total view of the common history of our Reich, will also come to pass.

Although that future seems today darker than ever before, it is a historical error to begin again with a Renner Government, choosing the same starting point where we bogged down after 1918. Five and a half years of common fighting in all parts of Europe and Africa have certainly not loosened the ties of common history, regardless of the outcome of the fight, and of the different judgments to be passed on the National Socialist experiment by various thinkers. The five and one-half years remain an epoch of common German history. The decisive thing for the future is for us to see our mission solely and exclusively in a European way, ridding ourselves of all narrow National Socialism. For it is on this, on the limitlessness of Nazi aims, that we ran aground in the last analysis.

Many stumbling blocks were set in the path of my efforts to make headway in the "Kulturbund", as had been the case with the Salzburg Festivals. Herr BOHLE, the notorious Gauleiter of Germans abroad had been informed that the "Kulturbund" was directed by non-Aryans. He therefore decided that I must no longer encourage that institution. It was, however, the only forum supported and recognized by the Austrian government, where the great minds of all countries and lines of thought could obtain the floor. I defended myself in vain. Then BOHLE decreed that henceforth no Reich-German must take part in such events. This was colossal impudence. The Reich-German residents of Vienna were forbidden to attend a lecture which I, the

German Ambassador, held of value to German interests, and which I myself attended. Things couldn't go on that way.

I went to Berlin to see Herr von NEURATH and demanded that he put BOHLE, recently promoted to a State Secretaryship in the Foreign Office, in his place. Herr von NEURATH was too weak to do this. This man BOHLE had done so much harm abroad; his proteges, all "Landesleiter" (Nazi Party chiefs for a foreign country) had done nothing but blunder around. The man's promotion to State Secretary meant by no means a curb on him. On the contrary: He now ruled in the Foreign Office, too. Thus I had no other choice but open opposition against this Party chieftain. Until the end of my career I have continued the sharpest opposition against this vermin who gnawed away our esteem abroad. I will come back to this later. (Ankara Peace Case.)

Even after the Austrian government entrusted the direction of the "Kulturbund" to the excellent, spirited, and tactful Baron HAMMERSTEIN, the "Auslandsorganisation" did not change its pugnacious attitude towards me. In this connection I will never forget the mediating hand of our revered friend, Countess Elsa THUN-LUETZOW.

This peaceful work was interrupted again and again by the unchecked dynamics of Austrian National Socialists, of whom a large number were still imprisoned in the concentration camps. One summer evening I was at Kammeram-Attersee with my relations, when suddenly several hundred young fellows of the surrounding communities made me a big ovation. There were flowers, patriotic songs, a speech, etc. I was rather embarrassed, for I knew that proceedings would immediately be instituted not only against the hotel owner, but also against the participants. Herr SCHUSCHNIGG would undoubtedly assume I had ordered the demonstration. In the end it would become quite impossible for me to travel about the country, without fear that "sympathizers" would try to exploit my movements politically. On my return to Vienna I immediately sensed a great annoyance at the federal chancery [Bundeskanzleramt]; all my protests of innocence were regarded skeptically. Proceedings were instituted against the hotel owner and the demonstrators. I often regretted the federal chancellor's lack of tact and gentleness; he seemed always convinced that he could serve Austria's interests only with an iron fist.

An incident of a special sort merits mention. It shows most clearly how difficult it was for me to negotiate the passageway of peaceful evolution between the Scylla of Austrian National Socialism and the Charybdis of HITLER's desire for an "Anschluss". One day—2 May 1937, to be exact—I was informed that Austrian soldiers had insulted the German flag the previous day at Pinkafeld, a small town in Styria. The Treaty of 11 July 1936 had permitted Reich citizens resident in Austria to fly the National German flag on national holidays. Following this agreement, a respectable craftsman who lived on the town square of Pinkafeld had flown the swastika from his garret window on the first of May. Pinkafeld was the garrison of an Austrian infantry battalion; on that same day a mounting or dismounting guard, commanded by a lieutenant, marched across the square at noontime. This lieutenant had been transferred from a large garrison because he was suspected of Nazi sympathies. Simultaneously he was told that he would be cashiered, if he ever again showed signs of such sympathy. Now, as the lieutenant's guard calmly crossed the town square, which was slumbering in a noontime siesta, the sergeant at the rear of the detail called to the lieutenant in a shocked voice: "Goddamit look, Lieutenant, up there's one of them damned flags!" ["Herrgott sakra, schaun's Herr leutnant, droben hangt so an verflucht's Fahnderl!".] A chill runs through the lieutenant: "If you don't act now, you are cashiered!" He turns to the sergeant and three men and orders: "Get up there and bring the rag down!" ["G'schwind hinauf und holt's den Fetzen runter!"] No sooner said than done. The soldiers rush the house, penetrate to the garret window and return flushed with victory, carrying the carefully furled emblem, which they take along to the guard house. So much for the incident. The newspapers reported on it, and HITLER was undoubtedly immediately informed telegraphically by BOHLE agents of the "Auslandsorganisation" who must have told him of the rape perpetrated on the sign of German sovereignty. I wired Berlin that I would contact the competent Austrian authorities immediately and would settle the incident. This did not seem to suffice. I received orders to report in Berlin immediately. I sped to the Reich capital by plane with evil forebodings. I informed the Reich Chancery that I had arrived and was ready to report to HITLER. Nothing happened. Nothing happened the next day. I telephone Herr von NEURATH, informed him of the events, and asked him to see to it that I was received immediately, so that no serious conflict could develop from this "flag incident". Still no sign of life!

The third day, still without news from the Reich Chancery, I sat down and wrote HITLER as follows: "On your orders I arrived here by plane three days ago, in order to report on the flag incident at Pinkafeld. Since you have not received me in spite of my repeated request, I must assume that I no longer enjoy the amount of your confidence necessary for the conduct of business in Austria. If this is so, I request my immediate relief".

Thirty minutes after I sent the message off the Reich Chancery phoned that I should report to the Fuehrer immediately. I met HITLER, who was obviously greatly excited. Before I had a chance to describe to him the incident in its setting, he spoke in terms of reproach of the impossibility of the repetition of such "shameless events" in Austria. Insults to German honor on Austrian soil must finally be put to an end! I let him rage for half an hour. I knew this manner and remained entirely silent. Then I interrupted him: "If you want a flag incident as a pretext to invade Austria, then this one is very inappropriate. But any ass can create a proper flag incident for you in 24 hours, so as to give you the opportunity for armed intervention and forced 'Anschluss'. Another question is how the world would react. And still another question arises over the fact that you thus break our agreement, that no drop of German or Austrian blood must be shed to unite our countries. I repeat: You cannot carry on such a course with me—that is not what I went to Vienna for!"

HITLER seemed surprised and amazed. But as always when he met energetic opposition he came round. "Right", he said, "You are right. But I cannot bear such high-handed treatment of our flag over there". I told him that I would vouch for an honorable settlement of the incident within 24 hours, and that his injured sense of honor would receive satisfaction. But after he had calmed down and become more thoughtful, I again made it clear to him that slow, patient, peaceful evolution was the only possible and decent way to the solution of the Austrian question, which was so close to his heart. We parted in friendly agreement. One hurdle had been vaulted.

On reaching Vienna the next day, it was an easy thing for me to settle the incident with the federal chancellor to the full satisfaction of both parties. I only hope that the lieutenant of Pinkafeld was at least, "secretly and after delay", promoted for his disregard of his National Socialist feelings. Thus he would at least have gotten some fun out of the story.

When I had concluded the peace with Austria 11 July 1936, the worries of the Successor States had noticeably vanished. Mr. BENES, then chief of state at Prague, had his minister of agriculture extend to me an invitation to hunt stag and bear in the Carpathian mountains. Through the kind offices of Mr. GU-

RANESCU, Rumania invited me to shoot duck in the Danube basin. Mr. NASTASJEWICZ (?) expressed the great satisfaction of the Serbian government. The dissatisfied party was the Austrian NSDAP, led by Captain LEOPOLD. It suspected that my policy of peaceful evolution would take much too long, and that drastic measures must be applied. While I had been able to curb this body until 1936, they began to intrigue against me after 1937. Beside the dull-witted Captain LEOPOLD, who had come up through the ranks, the former Captain of Cavalry (Rittmeister) GILBERT-in-der-MAUR played the main part. After the war he had become a journalist and was well-acquainted in all the Balkan states. I had known him for several years, as I had hired him for work on Southeastern problems on my newspaper "Germania". Simultaneously he represented that paper in Vienna, because I had been told that he had excellent connections with the Christian Socialists. As early as the Klagenfurt Christian Socialist Congress of 1931 I became convinced that the contrary was true. For when I entered the congress hall in his company, he was refused admission. At that time I did not fire him, as I thought him an otherwise loyal man.

Now, apparently, he had staked his chips on the future of the NSDAP in Austria, and hoped next to play the Foreign Minister there. When I had recognized his disloyalty towards me, I briefly called a halt (to our relations) and forbade him entry into the Embassy.

I had heretofore maintained contact with the Austrian Party leadership through middlemen only; now the crisis in our relations became patent, and had its reactions in the German Party. The German NSDAP was again and again agitated by the Austrian Legion. That Legion consisted of activists who had escaped to the Reich from Austria since 1934. They had been assembled in camps and underwent military training. It is easy to appreciate how these young men were straining to get back to their homes and families. But seeing that they could never return with SCHUSCHNIGG in power, unless they wanted immediate internment in a concentration camp, they anxiously yearned for the overthrow of SCHUSCHNIGG's government. Needless to say, they too found my policy wanting.

This must be the period during which a plan was conceived to create an incident with Austria serious enough to persuade HITLER to invade the country. Somebody should be hired to murder me—that would be the simplest method of all! The assassination of an ambassador could be atoned for only with the sword, as witness the assassination of Ambassador Baron KETTELER in

Peking. Then the "Anschluss" would be accomplished, and Europe could not even lodge a protest!

But the Austrian government with its efficient intelligence service smelled the rat too soon. The government warned me and reinforced the guard, which it had assigned to follow my steps since the first days of my activity in Vienna. This service, which had never annoyed, but often bored me, now became quite comfortable. Incidentally, I did not refrain from advising HITLER of the thoughtful plan of his Party comrades; or, in case he was in the know, from implying that such perfidious maneuver was not within the scope of our Bayreuth agreement.

I would like to conclude this episode with my expression of thanks to the Austrian government for the crews [Organe] who were assigned to follow me. They were always tactful and helpful. Even though I often saddened them during walks through the Vienna Woods by outwalking them, so that they had to spend hours looking for me—I was a faster walker than they. Not to suppress the humor in the story, I am obliged to report that the two main officials of the guard turned out to be old Nazis, when HITLER entered Vienna. Who can read the soul of man?

In connection with all this I must admit that the SCHUSCHNIGG government was in many respects in as difficult a situation as my own. This was, for example, demonstrated in a congress of veterans in Wels in the fall of 1937. Austria had its organizations devoted to the military tradition and comradeship, corresponding to those in Germany. Nothing was more natural than that the representatives of such associations meet from time to time, to keep alive the remembrance of common feats of arms in the last war. The German army had always had a very profound respect for the achievements of the Alpine regiments whose share had been great in all battles. During the times of political tension following 1934 the Austrian government naturally did not desire such movements. Now, however, tension had dropped so much that a meeting of old soldiers could hardly result in any undesirable friction, particularly if the meeting was clear of any political tenor, and constituted only a revival of common military experiences. Of course, most of the old combatants were National Socialists. This, at any rate, was the plan made by me and General GLAISE-HORSTENAU, who had been the SCHUSCHNIGG government's trustee for Reich affairs since 11 July 1936. Herr von GLAISE was widely known as a military writer, and highly appreciated as such in the "Reichswehr".

Unfortunately the Austrian (National Socialist) Party exploited the brotherly meeting at Wels to stage a political demonstration in grand style; the peaceful progress of the rapprochement, for which I and GLAISE had hoped, was turned into its opposite. Early that Sunday thousands of spectators surrounded the wide oval of the Wels racetrack. They had come from all parts of Austria. When the delegations of the German warrior associations entered with their flags, loud applause rose; the applause became even louder when the glorious Austrian regiments, such "Kaiserjaeger", "Hochmeister", etc., entered the arena. The Austrian armed forces had posted an honor battalion with flag and band at the tribune, from which the guests of honor were to be greeted—a delegation of the Austrian government, the German ambassador with his military personnel, and numerous old generals and officers of the old imperial and royal army. The program provided for a short address by General von GLAISE and myself. Of course, the addresses were to be non-political. Then a review before the guests of honor was scheduled, to be followed by banquets in various restaurants of the gaily decorated city of Wels.

As my car neared the Festival Square and I heard the cheers of the spectators who recognized me, I felt a slight doubt as to whether everything would end as peaceful as it seemed so far.

After my arrival and welcome by Herr von GLAISE and the guests of honor I was asked to walk down the battalion of Honor, which was presenting arms. Suddenly, as the band struck up the Austrian national anthem, I heard thousands of voices all around the wide arena singing "Deutschland, Deutschland ueber alles in der Welt" to the melody of the Austrian anthem. (Same as that of the German.) Singing isn't the word—it was a roar, a tornado, drowning out everything, and revealing that the thousands obviously did not feel as Austrians at this second, but as Germans, a children of a great empire which had held them all in its arms for a thousand years.

The faces of the government's representatives fell. The soldiers stood mute and fast.

Then General von GLAISE ascended the rostrum and made his speech. His rather academic and not very fiery statements were almost drowned in the noise of the crowd.

Then my turn came. As soon as I had spoken the first words into the microphone, I was interrupted by roaring approval. The noise increased with every sentence I pronounced, whether applause was called for or not. I understood immediately that this was meant as a political manifestation of major dimensions, and concluded my speech with a few sentences, quicker than planned, As I descended the grandstand, the applause turned into a hurricane. I saw depressed, fearful faces on the grandstand, and decided it best to cut the celebration as short as possible. Before the review of the formations was even over, I took my leave under the pretext that the weather made it necessary for me to fly back early. After a quick bite to eat in the city I hurried to the airport.

In the meantime the police had intervened during the marching off of the warrior leagues from the Festival Square, in order to stem the enthusiastic ovations of the crowd. Beatings and, I believe, even shooting occurred. Streets were blocked in Wels, and only with difficulty could the celebrators reach the restaurants, where they planned to celebrate among their comrades. It was evident that the political tenor which was forced upon the reunion of old combatants spoiled the fun. Instead of one step forward in the direction which I was pursuing, two steps backward were made. For the SCHUSCHNIGG government would now ruthlessly persecute and imprison all those whom it suspected of participation in the staging of this manifestation. The government would allow no similar reunion in the future, always worried about the possibility of similar demonstrations of Reich-German thought.

But when I mourn the setbacks which my evolutionary policy suffered at Wels, I must on the other hand admit that the demonstration there was more than just a propagandistic display of the Party. Such a performance cannot be "staged". The outbreak and cheers of the masses were too heartfelt for that. The SCHUSCHNIGG government overlooked that fact. Perhaps the government actually understood what was going on in the hearts of many good Austrians. But it neither sought nor found an antidote or counterbalance. How often have I advised the federal chancellor to recognize this status of the souls of the big majority of his people, and to conduct a conscious policy of rapprochement. He was a proved officer of the World War; so why didn't he come to Wels himself, to speak to the crowds about our common ideals? That would immediately have taken the wind out of the sails of such a party demonstration. He could only negotiate advantageously with HITLER as long as Austria remained a factor, a sovereign state with a will of its own. Thus, and only thus, could he offer and demand things. How easy would it then have been to create a relation to the Reich, similar to that of Bavaria from 1871-1918: complete autonomy of government and administration, and an independent parliament; the only common affairs to be foreign policy and military command in time of war.

When HITLER appeared in Vienna half a year later following the invasion of our troops and the overwhelming approval of the Austrian people, there was no government left capable of negotiating, no sovereign state which could make demands of any sort. Then it was too late for such action.

Late in 1937 a crisis with the "Wehrmacht" occurred in the Reich. As early as 1933 HITLER had demanded the resignation of Generaloberst Baron von HAMMERSTEIN, then head of the armed forces. HAMMERSTEIN and I had attended the War Academy together for three years, and I respected him as a clever officer. Perhaps he liked comfort a bit too much for his post. But that was not the reason for HITLER's desire to change. HAMMERSTEIN was a close friend of SCHLEICHER's, and the Party feared a reaction on the army by General von SCHLEICHER's work behind the wings.

The Party's pet among the generals was at that time Herr von REICHENAU, later Field Marshal. He was young, a great sportsman, and very progressive. So HITLER suggested General von REICHENAU to the Reich President as Chief of the Army Command. HINDENBURG was not in the habit of filling high military positions in accordance with considerations of Party politics. He thought Herr von REICHENAU too young and inexperienced for such a responsible position. He asked for my advice and said to me: "After all, I can't put an officer at the head of the army who has not even proved himself as regimental commander, and has not yet learned to train and direct a corps of officers in the right manner". I quite agreed with the Field Marshal, and recommended General of Artillery Baron von FRITSCH, who had been my highly respected friend since our three common years at the War Academy.

Experience teaches that one can judge best if one has known them intimately in youth. In the classroom in which we had sat together, we knew each other all of us, with our weaknesses and qualities. From the military point of view, FRITSCH had always been one of our best. He had a lucid reason, extraordinary tactical and strategic talents, and an excellent character. He was a "Lord" ("Herr") in the best meaning of the word. HINDENBURG agreed immediately and advised HITLER of his decision.

Enter General von BLOMBERG, declaring to the Field Marshal's amazement that no one else but REICHENAU must become Chief of the Army Command, and that he (BLOMBERG) would ask for his release if the Field Marshal decided otherwise. The Reichswehr Minister had come so far under the influence of the Party machine that he offered the strongest possible opposition to the chief of state, in a matter which after all was to be decided on purely military grounds.

The Field Marshal remained firm; Baron von FRITSCH was appointed. It is known that Herr von REICHENAU later did great things as a soldier, and sacrificed his life for the Fatherland. But that certainly changes nothing in the correctness of the judgment on whether he was qualified for the position suggested at the time.

It is evident that Generaloberst Baron von FRITSCH, an upright and honest man, who held the views handed down to him by the old corps of officers, was a thorn in the side of the Gestapo Chief, whose ambitions were unlimited. Thus arose the plan to eliminate him. He who had the army would rule the country.

The method of elimination was of the Gestapo type. The Generaloberst was accused of violating para 175 of the BGB (Buergerliches Gesetzbuch—re: homosexuality). He was said to have been seen somewhere in the company of a person of ill repute. HITLER had him arrested and suspended from office, and ordered an investigation. No army man who knew FRITSCH and his impeccable character has ever had the shadow of a doubt that the whole story was invented in order to eliminate him. The investigation showed how untenable the charge was. The Board of Honor [Ehrenrat], composed of generals, demanded that HITLER fully compensate for the disgrace inflicted on the old Generaloberst and Chief of the Army Command. All the board achieved, however, was that FRITSCH was dismissed from his position with a letter of thanks from the Fuehrer and given command of a regiment. The other logical part of the compensation, however, was not rendered: the dismissal of HIMMLER, who had dealt this blow to the army in order to put a man of his confidence at the head.

After this tragedy my friend FRITSCH was a broken man. When the war against Poland broke out in 1939, he was, of course, not entrusted with a place commensurate with his eminent abilities. He therefore asked for permission to accompany at least the army which he had trained as a "spectator". He took part in an assault on a fortified position in the first line of infantry, and was killed by a bullet. I am sure that he sought death because he probably foresaw how this tragedy would end.

General von BRAUCHITSCH replaced FRITSCH; however, this case did not end the struggle over the army.

The foremost man above even the chief of the Gestapo was GOERING, legitimate successor-apparent to HITLER, who held himself in readiness to leap in the saddle at any time. He was commander-in-chief of the air force, which he had created. What was more natural than that he would work himself up to be commander-in-chief of the entire armed forces? When HITLER had appointed Herr von BLOMBERG Field Marshal in recognition of his merit in the service of army and Party, GOERING had resented bitterly the fact that he did not become the most high ranking officer in the armed forces. That sealed BLOMBERG's fate. It is a most moot question, whether GOERING had prior knowledge of HIMMLER's perfidious stab-in-the-back of FRITSCH, and for that reason decided on his own stab at BLOMBERG in order to counterbalance the Gestapo's thirst for power. At any rate very well-informed sources told me later that it was Mr. GOERING's agents who brought to Herr von BLOMBERG the lady, to whose charms he succumbed, and because of whom he was forced to hand in his resignation.

The story is well-known and too unrefined to be repeated here. When Herr von BLOMBERG decided to legalize his long-standing affair with the lady by marrying her, the army balked. And rightly, so. It had been a custom and good tradition of the German officers' corps never to permit marriages with women whose good reputation and morals were not absolutely flawless, and whose education and upbringing were not up to just expectations. How could one permit that yardstick to be thrown aside by a field marshal and senior officer of the armed forces? Every man can decide on his private life as he wishes, and no one must utter criticism in ignorance of possibly good motives for the decision. But there can be no separation between the private and public spheres of life of a man in such a high public position, and special responsibility for the spirit and education of a large officers' corps. One demands that such a man be a model in every respect.

Field Marshal von BLOMBERG cannot escape the reproach of rendering poor service to army and country by his belief that he could cast aside the standards of old Prussian tradition with the advent of confused moral views of National Socialism.

But neither GOERING nor HIMMLER's stratagems came to fruition. HITLER had probably looked through the plans of both. After several weeks of crisis, he cut through the Gordian knot 4 February 1938.

Simultaneously with von BLOMBERG's dismissal the position of Reichswehr Minister was abolished. In its stead HITLER made Generaloberst KEITEL Chief of the Armed Forces [Chef der Wehrmacht], reporting directly to HITLER. As sop GOER-

ING was appointed Field Marshal and thus became the senior officer of the armed forces.

Thus GOERING's and HIMMLER's desire to conquer the army for themselves had been warded off. But nevertheless the net result of these intrigues was very regrettable for the Armed Forces and the state. Up till then the Reichswehr Minister was charged with the responsibility for his field of jurisdiction. True, Herr von BLOMBERG had never seen this responsibility in a statesmanlike fashion, but had always felt himself a tool of the Party. But a self-respecting, energetic man in his office could have warded off much that was evil. Now the decision on the future of the army was exclusively up to HITLER and his creature, Generaloberst KEITEL.

It may be countered that the criticism of Herr von BLOMBERG is too severe, in view of his attitude towards HITLER's rearmament plans. Today's victors make it one of the principal charges of their accusation that we have consciously rearmed since 1934, and have prepared aggressive war; that we, as a nation, had welcomed that course, and had thereby acquired a share in the guilt for today's worldwide unhappiness. It may be countered that it is easy to criticize today, where one has consented at the time, and that it was only natural for a minister of war to welcome every possible chance to strengthen his armed forces. I have myself served for 25 years in many positions of the Royal Prussian Army and the general staff; I would be the last one to conceal the sincere joy which I experienced over every step which returned to us our full sovereignty over the armed protection of our country. The disarmament proclaimed at Versailles had met disgraceful disaster at Geneva. Our army of one hundred thousand men, without cannon, or aircraft, and with armored cars of cardboard, was not even sufficient to maintain order in the country, as reported to HINDENBURG 3 December 1932 by the then responsible Wehr Minister von SCHLEICHER. The introduction of compulsory military service guaranteed that our youth, in large part shiftless and demoralized [verlottert] through years of unemployment, would again have to be educated to order and discipline. The occupation of the demilitarized Rhineland zone was the reconquest of a natural sovereign right. Our withdrawal from the Geneva Conference was, finally, only the consequences of a peculiar game that had been played with us for years, and our conclusion, that the general restriction of armaments was nothing but a beautiful dream for Central Europe. Take only Hungary: it was not allowed one man or one gun, while the surrounding Successor States (Czechoslovakia, Rumania, Serbia) were armed to the teeth.

But there is a difference as that between day and night between such armament as corresponded to Germany's geopolitical situation, to her desire of regaining her full sovereignty, and rearmament for aggressive war. As happy as I was over every step which put the fatherland back into the respected ranks of the family of European nations, so firmly was I convinced that no responsible statesman could think of repeating the experiment of 1914—which had cost us two millions dead and uncounted wounds and suffering. In the fall of 1937 I had the pleasure of a hunting trip with the former British Air Minister, Lord LONDONDERRY. I told him that the horrors of war had become so deeply imbedded in the German people's consciousness that no man could make them wage a new war, as long as the present generation was alive. That was my innermost conviction.

A minister of war in daily personal touch with HITLER must probably have seen more clearly than we, the outsiders, whither the war led. It was said that the then responsible chief of the general staff, Generaloberst BECK, had asked for and received his dismissal, because he clearly recognized that a war against Poland must result in the World War, which he considered a crime.

My criticism of Herr von BLOMBERG, and my later criticism of General KEITEL, who replaced him, brings out this item of their responsibility towards the German people.

On the fourth of February 1938 HITLER put an end to the crisis in the armed forces. But he simultaneously began another crisis, in order to divert attention from these embarrassing events. The effects of the new crisis were, perhaps, even more fatal for the history of the German people.

On the evening of that day I sat in my study in the Metternich Gasse, feeling no evil forebodings of any sort. About 9 o'clock a call from Berlin came through. "This is the Reich Chancery—State Secretary Dr LAMMERS". "This is PAPEN". "The Fuehrer wants me to tell you that your mission to Vienna is finished. I regret to have to tell you this. But the Fuehrer intends to employ you in the near future in some other position."

"Can you give me any reason for this sudden decision? The Fuehrer could have said something about this to me last week, when I was in Berlin". "I regret I cannot tell you anything further".

I replaced the receiver. My surprise was vast. Then I discussed the news with my family, grouped about the fireplace.

I had grown fond of the job which had been assigned to me during the almost four years of my activity, of many setbacks and slow progress. How could it be otherwise? I had decided to go to Vienna because it was a matter of solving a problem of vital significance for the Reich; I had brushed all other considerations aside at Bayreuth. How difficult, almost humiliating, had the beginning been, when I thought back to those first months. I had the sensation of having done a good job. The good results of a patient, steady, open, and loyal policy were just then beginning to materialize. I had made friends. People had come to understand that I sought a solution for Austria which would embrace more than the interests of the Reich alone. And how had the international situation changed since those days of July 1934! The Austrian situation was actually no longer in the center of European politics. The world had gradually accustomed itself to viewing it as a domestic dispute between two cousins. Even MUSSOLINI had dismissed his ambassador, Signor SALATA, who was extremely opposed to any form of "Anschluss", and had replaced him with the adaptable * * *.

Now all this had come to a sudden end, and without any visible reason. We came to the conclusion that HITLER had enough of my policy. Probably the pressure of the Party on both sides (of the frontier) had become too strong, and HITLER saw the moment propitious for action. I was desolate, thinking of my work. But at least posterity should know that I had no part in this turn of the events. Therefore I called in my two secretaries, Herr von KETTELER and Baroness STETZINGEN that same night, and ordered them to select the most important of my reports to the Fuehrer during these four years. I wanted to deposit them somewhere in safety, so as to prove later on what policy I had conducted in Vienna.

The next morning I said good-bye to the gentlemen of my embassy, I thanked them for their devotion and co-operation. I told them that I had to leave them because my work no longer enjoyed the approval of the Party; but in their work they should always bear in mind, that the interests of the fatherland are above those of the Party. Prince ERBACH said a few kind words to me—for me and my family; I know that they came from the heart.

I wrote a note to the Austrian government, saying that I would soon bid farewell in person.

In the meantime the newspapers had published the fact that Herr von NEURATH had been replaced by Herr von RIBBENTROP as Foreign Minister. A new post had been found for Herr von NEURATH: President of the Secret Cabinet Council. And three ambassadors had been relieved of their positions beside me, among whom were Herr von HASSELL at Rome and Herr von DIRKSEN at Tokyo.

The least comprehensible of these was the dismissal of HASSELL, one of our very best diplomats. I had become better acquainted with him and had come to appreciate him during the weeks when I was in Rome working on the Concordat with the Holy See. As highly as he held MUSSOLINI's work for the Italian people, he inclined against any alliance of the Reich with Italy. HITLER, of course, found the achievements of Fascism admirable and, perhaps, it was difficult to look behind the flashy facade which the Duce had erected. HASSELL had the perspicacity acquired during long years of diplomatic service, and could better tell real achievement from mere stage props, than the Nazis could. HASSELL stuck to the old motto: The strong man is never as powerful as when he stands alone. Good friendship—nothing more.

But HITLER thought of more. Therefore Herr von HASSELL had to go. It is a tragedy for our country that this excellent man became a victim of the 20 July 1944. The vastness of the tragedy of this our last 30 years becomes apparent, when one stops to consider that Grand Admiral von TIRPITZ' son-in-law has died on the gallows!

I took the next train for Salzburg, in order to bid HITLER farewell at his "Berghof", and to avert disaster in the Austrian affair, if possible. HITLER seemed absent-minded and preoccupied with something. He tried to cover up my dismissal with excuses. However, I told him that I regretted my leaving because I was convinced that my policy was the only right one; even the federal chancellor, I told HITLER, now desired a personal interview with the chief of the German Reich and hoped it would bring further understanding and clarification of views. When HITLER heard this, he suddenly showed intense interest. I told him of the many efforts to win Mr. SCHUSCHNIGG for such an interview in a spirit of mutual trust, which his reserved nature had heretofore opposed. I told HITLER that the federal chancellor had only during the last few days found his way clear to the view that an open exchange of sentiments could, at least, do no harm. HITLER pounced on this. "But that is splendid. I beg you, return immediately to Vienna and arrange with the federal chancellor for a meeting here during the next few days. I will be very happy to see him and discuss everything with him open-heartedly".

I rejoined that this would be somewhat difficult in view of my dismissal, which had been published in the world press.

"That doesn't matter at all. I ask you to resume the conduct of the Embassy until our meeting has taken place." Indeed a strange way to conduct foreign policy!

But actually I was very glad that I was still allowed to help bring the two extreme minds together. How good it would be to establish the policy of evolutionary growing-together of the two countries on a new basis of confidence!

Thus I took the next train back to Vienna, where I arrived 7 February to the great surprise of my family and my assistants. I immediately advised SCHUSCHNIGG of the mission assigned to me.

On 5 February the chancellor and government had been no less amazed than myself to learn of my unexpected resignation and of Herr von RIBBENTROP's ascension to the Foreign Ministry. Like me, they had evil forebodings. Thus it was not difficult to convince the chancellor that now was perhaps the last real chance to continue my political line. He accepted. The meeting was scheduled for 12 February.

It is not easy to describe the course of the historical conversation which took place on the "Berghof" on that day. HITLER had surrounded himself with his new advisers. For the first time I saw Herr von RIBBENTROP in his function as Foreign Minister, and I did not like it. Until then I had kept him strictly on the outside of the Austrian problem. Several officers were also present. There was the new Chief of the OKW, General KEITEL, attached to HITLER, the Commanding General of the Wehrkreis Munich, and General SPERRLE. This had something of the aspect of a military demonstration, a fact which made me uneasy. The federal chancellor was accompanied by several of his officials, and by Herr von GLAISE-HORSTENAU.

The greetings were very civil, but, of course, they lacked cordial tone. The two met for the first time. Before breakfast they had a long conversation in private, apparently examining the over-all situation. Then came the difficult part.

I had tried to persuade SCHUSCHNIGG to appoint another minister to his cabinet beside Herr von GLAISE, who was not very active. The new minister was to act as trusted liaison man between the two governments, able to work on innumerable problems directly without diplomatic intervention. This simplification would also bring the men on both sides of the fence closer together. Baron von KETTELER had always maintained intimate contact with a group of young Austrian National Socialists who, as we both agreed, had a conservative coating and fought for a healthy development within the Party. They were all well-educated men with a good background. The guiding spirit among them seemed to be the young attorney, Dr. SEYSS-INQUART. He was large, his face open and appealing; his leg, shattered in the war, impeded his gait somewhat. His temperament was always moderate; he combined good social manners with a clever, deliberate judgment. He also enjoyed the reputation of a faithful son of his Church who took his duties seriously.

For all these reasons, particularly the last one, I thought SEYSS-INQUART just the man to carry on Liaison to the profit of both parties concerned. My judgment was at the time shared by the federal chancellor in all respects. I have given this detailed character description here, because Dr. SEYSS-INQUART has become my life's deepest disappointment, as I unfortunately must admit today.

When I mentioned SEYSS-INQUART's name to HITLER during the negotiations on the "Berghof", he started up terrified: "What kind of a man is this? Never heard of him. Is he a National Socialist at all?" I had expected these difficulties and had therefore secured the services of a known Austrian National Socialist, who was able to give the Fuehrer an alibi (sic) of SEYSS-INQUART for my judgment in Party matters was not at all competent for HITLER. HITLER consented after much balking and agreed to this man, who was also acceptable to the SCHUSCHNIGG government. The negotiations lasted through the afternoon until late at night, and passed through several critical moments. I cannot say whether or not HITLER threatened military invasion, and paraded the generals present, as was later reported. He did not do it in my presence. I only remember that I went in to HITLER during critical situations, and set him aright. At 11 o'clock at night everything had finally been covered, and the meeting broke up in general contentment.

[Editor's Note: von Papen desired that the text of this agreement be inserted here as it was not available to him at the time of writing.]

A few days later HITLER had convened the Reichstag and gave it the following enjoyable explanations about the Austrian problem:

[Editor's Note: von Papen desired that excerpts from Hitler's speech to the Reichstag be inserted here as it was not available to him at the time of writing.]

The federal chancellor, his retinue and I reached Salzburg by car and took the sleeper for Vienna, arriving the next morning.

He voiced his impressions of the "Obersalzburg" day only at the occasion of the farewell visit on 26 February.

Although the exchange of opinions had occasionally been a bit stormy, I had hopes that the meeting had advanced one step further, and that I could now bid Vienna a less worried good-bye.

I took my pair of skis to Kitzbuehl, to profit by the glorious February sun, and was there joined by Count KAEGENECK and KETTELER. The last named gentleman had arrived by car, racked his bones during a difficult ski descent, and then proceeded to Switzerland. His trunk contained the reports to HITLER of my four years of work; he was to store them in Switzerland with a friend.

I returned to Vienna to take leave from so many old and new friends. Almost daily collaboration had made my ties with the foreign minister, Dr. Guido SCHMIDT, cordial and personal; he brought me the Grand Cross of the Austrian Order of Merit. Although the award of such decorations is often a mere matter of protocol, I was really happy to receive this decoration. It permitted the assumption that the Austrian government then had a different opinion from four years ago, and that my good intentions and intense desires were recognized. Of course, I could not know that this would be the last major award made by the Austrian government before its end.

A stream of souvenirs and presents poured in to my family. We were especially pleased by a charming set of chinaware, presented to my wife by a committee led by the much-revered Princess Sophie OETTINGEN and Princess Nora FUGGER. The diplomatic corps bade me good-bye with a big silver cigar box, engraved with the autographs of all the dear colleagues, whose memory I will always gratefully cherish.

Suddenly a sensation burst in the midst of our preparations to leave.

SCHUSCHNIGG had gone to Innsbruck to address a "Heimwehr" meeting. This was Sunday, March ***. He proclaimed a referendum for next Sunday, March ***. A vote of the Austrian people on the question: ***

[Editor's Note: von Papen desired that the text of the question to be submitted at the proposed referendum be inserted here as it was not available to him at the time of writing.]

This was obviously an event of the first import. Not a soul had known of it. The decision must have been made during the last few days, and the preparations for a referendum in such short time must have been made in utmost secrecy. The press of the world proclaimed it as a sensational event, which put the otherwise dormant Austrian question into the limelight in one quick move. What was the significance of the federal chancellor's sudden decision?

Berlin was in an uproar. The consensus was: the federal chancellor wants to act out a mock-plebiscite with his "Heimwehr" troops, and tell the rest of the world: "Austria wants no Anschluss! Now that the country has publicly expressed its opposition, the government can unfortunately no longer perform the commitments which the federal chancellor entered 12 February on the Obersalzberg".

Opinion said: "The whole thing is a theatrical coup—but no referendum! For it is impossible to prepare an objective, neutral vote in less than eight days. Fair enlightenment and propaganda are made impossible for the opposition—in this case the German-thinking and German-feeling part of the population—who favored union of the two countries. Under the pressure of the government machine the plebiscite is to be railroaded through. Therefore it will never picture the real situation. It is a foul ruse of the SCHUSCHNIGG government".

When the conditions are calmly considered, it cannot be denied that there is some justification of this viewpoint; particularly seeing the basic historic significance of the question. It must also be borne in mind that the communications in the Alpine mountains of Austria, where the largest and possibly most valuable part of the population lives, are poor—one more reason to allow a longer period of time prior to a referendum.

HITLER was extremely upset about SCHUSCHNIGG's obvious attempt to circumvent the commitments entered into 12 February. He commissioned me to have the plebiscite cancelled, or, if that was impossible, to have it postponed. Both suggestions were refused. On the contrary, the Austrian press worked itself into more of a frenzy and unambiguously took the part of the chancellor, defending the plebiscite.

I suggested a way out to Berlin. The chancellor was obviously already too far out on a limb to go back; there was therefore no more chance for the plebiscite to be cancelled, for now all federal, state and local authorities and the entire "Heimwehr" organization were working on it full steam ahead. I suggested to Berlin to attempt a change in the text of the referendum. My version of the text read: ***

[Editor's Note: von Papen desired that his recommended revision of the text be inserted here as it was not available to him at the time of writing.]

While I was still negotiating about this, the situation became more serious every day. The government and "Heimwehr" organized meetings in all the big cities. Everywhere the National Socialists are called on the carpet. There are more-than-heated debates. Long pent-up grouches, social discontent, frequently only personal grudges lead to tumultuous events, and the police intervenes. The streets are thrown open—there is murder and manslaughter. The Austrian government recognizes too late that it has staged an adventure whose issue will soon slip from under its control. Aren't the police and army reliable tools in the hands of this government? SCHUSCHNIGG, at any rate, decides to fight. He will hear nothing of a compromise, which I attempt to achieve until the very last. Probably he feels that his personal position will certainly become untenable, if he gives way now. And he is not willing to abdicate. During all these years he has identified himself too strongly and intrinsically with the fight against Nazism to abdicate.

Several strange persons arrive in my embassy Friday by plane: State Secretary KEPPLER with his retinue, including a certain Dr. VEESENMEYER.

KEPPLER is one of the founders of the Party. He came from the business world, of which he was said to know something. (My personal experience has always been that such Party members coming from the business world had usually gone broke in business and were now looking for better luck in politics.) The Party has never given him an office. He was really always only at the head of "commissions", a sort of expert in all imaginable fields. We have never heard what he has actually achieved. But it was said that his influence on HIMMLER and HITLER was considerable, right up to the end. The other man was a young upstart, who had said good-bye to his academic studies like so many others, in order to engage in "revolution". Wherever scandal was heard of, Dr. VEESENMEYER appeared on the scene. Herr von RIBBENTROP applied his superb knowledge of human psychology and finally rewarded Herr VEESENMEYER's underground merits with the position of Envoy in Budapest. Poor Hungary! She had to pay a bitter price for it.

As soon as this crew reported to me, I knew what plans Berlin had laid, although no one spoke about it. But Herr KEPPLER repudiated my repeated attempts to save the situation through a compromise in the twelfth hour by remarking that the time for that was past. He obviously had orders to contact the Austrian Party's authorities.

Now I must add a remarkable event I have previously omitted to mention: During the recent weeks I had repeatedly complained to HITLER about the increasingly aggressive attitude of the Austrian National Socialists. Their illegal Gauleiter LEOPOLD used all means to intrigue against myself and my policy. Quite some time ago I had given up calling him to order, and had forbidden him entry to the embassy. Now I asked HITLER to remove LEOPOLD from the scene. He would thereby also show the Austrian government indirectly that he did not approve of the revolutionary policy of the Austrian Party. To remove a Gauleiter, an old Party stalwart who was in HITLER's and the Party's confidence—that was an almost impossible feat for a non-Party man like me. And yet it worked! To the Party's amazement HITLER removed LEOPOLD from office and installed the incumbent Gauleiter of Corinthia, CLAUSS, who was considered a reasonable and moderate man. I wish to cite this as evidence for the fact that HITLER could be reached by reasonable arguments—a chance which the federal chancellor never exploited.

During the Friday evening hours I received a call from the Reich Chancery, to start there immediately by plane. Being no man for hasty decisions and unnecessary night flights, I postponed the departure till morning.

Saturday, March*** I left Vienna at 6 o'clock in the morning, and arrived at the Reich Chancery at 9 o'clock. There I was to be a witness to dramatic developments.

I met HITLER at the Reich Chancery, where he was never seen at such an early hour. He was surrounded by ministers, GOERING, GOEBBELS, RIBBENTROP, NEURATH, State Secretaries and officers.

"The situation has become unbearable", he barks at me, as I try to suggest ways out. He cites SCHUSCHNIGG's bad will, who had simply put one over on him at Berchtesgaden. "SCHUSCHNIGG betrays the whole German idea! With a forced vote against the Anschluss he merely wants an alibi for his un-German policy to the European powers. He must not succeed, and he will not succeed. He is wrong if he believes that Mussolini or France will save him. Things must not come to this again."

I reminded him of the principles which he had signed at Bayreuth, and warned him against hasty decisions. But he countered: "Either the plebiscite is called off, or we overthrow the government. We cannot continue like this!"

Continuous telephone connection is kept up with Vienna, regarding the situation—which grew more and more tense there and in all big cities. Street demonstrations grew in size everywhere. The embassy's Charge d'Affaires, Prince ERBACH, was commissioned again to negotiate with the government, this time in ultimatum fashion. The officers told me that HITLER has ordered positions taken up for a march on Austria, which can begin Saturday morning if necessary. Wehrkreis Bavaria's advanced parties are already at the Austrian border.

I implored HITLER to desist from any military action. I told him that an armed invasion must necessarily bring bloodshed, even if it was to be expected that the Austrian army would offer no or only little resistance. He would thereby sully our people's whole claim for union, justified as it was by history; he would furnish the other countries with an easy pretext for intervention. He will hear nothing of it all; I still hoped that the whole "show" was only that: a show, to exert pressure on Vienna.

The tension increases by the hour. At 5 o'clock in the afternoon a message from Vienna comes at last: SCHUSCHNIGG has resigned, a new government, including National Socialists, was being formed. Of course, the message continues, this means the cancellation of the plebiscite which had been set for Sunday.

I rush in to HITLER and tell him, that now everything will develop peacefully after all, and that, first of all, the military invasion had become superfluous. HITLER agrees. He orders General von BRAUCHITSCH, who happened to be present, to cancel the order to march. What relief! So everything will work out for the better after all.

But only an hour later Vienna reports that the federal president, MIKLAS, was loath to approve the alteration of the government, and that everything has once more been put in doubt.

Immediately HITLER orders the order to march reinstated. I implore GOERING and NEURATH to persuade HITLER to a peaceful solution. But the tenser Vienna becomes, the more exciting the news of riots in Vienna and of the impotence of the police there, the more intransigent is HITLER. He ordered the Charge d'Affaires to go to the federal president with an ultimatum. No result was obtained.

Then Minister SEYSS-INQUART, who was conducting the negotiations about a reformation of the government, reported that SCHUSCHNIGG was resigning, and that a provisional government was being formed. But the crowds had the upper hand in the street; there was not enough police and armed forces to keep the state in order. The provisional government, the message continued, asked for the help of German troops.

Herr von NEURATH immediately recognized the historic-diplomatic import of such a request, and sought to obtain documentary evidence of the provisional government's request.

HITLER beams. Now he has things where he wanted them! Dr. GOEBBELS orders thousands of copies of addresses to the Austrian people printed immediately. Tomorrow airplanes are to drop them.

Nothing but these addresses had kept his peculiar mind busy all afternoon. A dozen times he had changed their text, as the situation changed. He did not even realize that this problem, a matter which touches the very heart of Germany, could dispense with his satanic and honey-sweet wordage. But he thought himself indispensable. He had not been on speaking terms with me since an exchange of words we had had on an occasion when I appeared in my old army uniform. He met me with: "What carnival costume are you dressed up in, Herr von PAPEN?" I answered: "Two million Germans died in this coat for the fatherland; they refused to be vilified by a degenerate intellectual".

I left the Reich Chancery late at night. I had the uneasy feeling that once again a game was being played with Germany's fate. My conservative mind is incapable of endorsing revolutionary methods. Lord, I prayed, avoid renewed bloodshed between the sister nations.

HITLER had ordered his departure for headquarters, somewhere in Munich, for 6 o'clock in the morning. Fate marches on.

I remained in Berlin and followed the course of events breathlessly. Huge streamers in the newspapers tell of the cheering welcome given the German troops at the border and further inside the Austrian country. I would think them exaggerated, if I had not been a witness to HITLER's triumphal entry into Vienna two days later. Not a shot was fired—it was a war of flowers.

After his entry into Linz HITLER sent me a telegram, ordering me to Vienna. There he wished to seal the union of his old country with the Reich in a solemn act of state.

I met State Secretary Dr. LAMMERS at Tempelhof. We flew to Vienna together. He told me the details of the entry, of the overwhelming welcome offered our troops everywhere, of the way the Austrian regiments joined our own. The only disorder, he told me, had been caused by the participating SS Division, which had wished to arrive in Vienna before the army. Disregarding all discipline, it had recklessly disturbed the marching schedule. HITLER, LAMMERS continued, had detoured from Linz to visit his parents' grave, and had deposited a wreath there, while his heart beat in his throat.

Then we spoke of Austria's future; I elaborated my thoughts on this, and he said: "Now you must become Reich High Commissioner [Reichsstatthalter] of Austria. You know the country so well; it will have confidence in you". I replied: "It is always better to entrust an Austrian with this very delicate mission. He can know best what ails his countrymen. It must be a glorious mission, to make this beautiful country happy. Of one thing I am, however, certain: if HITLER should entrust me with this mission, then I would only accept it under the condition of complete independence of the German as well as Austrian Party".

"HITLER will never concede that. It is hopeless. The influence of the Party has constantly grown during these years of your absence from Germany. And near the top there rages a powerful struggle for the biggest influence on the Fuehrer; the struggle becomes more and more heated", LAMMERS said.

"All right", I concluded, "then leave me out. But now is the time to show that statesmanlike wisdom is in order. I fear no foreign complications. If there had been bloodshed, complications would have had to be expected. But now the whole world has freely seen that the Austrian problem was a purely domestic German affair, a conciliation between brothers. But the world will show that much more interest in the sequel".

"I can only hope that I will not be cheated a second time of the work for the Reich which I have so laboriously advanced. I can only hope that today's success will not be misused like the Reich Concordat with Rome."

We landed at Aspern. As soon as I arrived at the embassy, my female secretaries reported that numerous Gestapo men had occupied my house on the evening of my departure from Vienna; protected by extraterritoriality they meant to await here Vienna's military occupation, in order to begin their filthy practice immediately thereafter. My whole family, the secretaries said, had flown away. Unfortunately, Baron von KETTELER had not flown with them, in spite of many efforts at persuasion. He had, in fact, disappeared since last night, and had not returned to his apartment. They were worried about him. Upon request of my secretaries, who had evil forebodings, I went immediately to the hotel in which the Gestapo had installed itself, and demanded to see HEYDRICH, who was in command there. He took down my information and promised immediate, thorough search, with the help of the Vienna police.

The solemn entry of the troops into Vienna, and a parade on

Heldenplatz Square, were scheduled for the afternoon. HITLER was expected any hour, and was to take quarters at Hotel "Imperial". Vienna was like an ant hill. Swastika flags covered everything; the throngs on the streets and avenue threatened to squash you. The Austrian police maintained exemplary order.

I figured that the diplomats must be interested in seeing this entry, in order to give their governments a truthful account of the impressions created. Therefore I solemnly invited them to witness the parade from the Fuehrer's grandstand.

Almost all appeared at the appointed hour, except the French and English envoys.

One must have seen the scene which now came to life, in order to recount the impressions which it left. I have seen many grand parades and reviews in my life. Hundreds of thousands were staged in the Nuremberg Party conventions, and GOEBBELS had a million men march into the Berlin Stadium, in order to welcome MUSSOLINI. This thing in Vienna was something quite different. The magnificent streets of the city that day were crowded with throngs, who lined the way of entry of the German troops with incomparable, frenetic jubilation, and waited for HITLER. This was no GOEBBELS setting. It was a nation coming to the fore, a nation which had held the first place in Europe for centuries, which had been defeated after great bloody sacrifices, torn asunder in an unreasonable peace and humiliated and impoverished, but now saw a new future before it. It received in triumph the man who had grown from its own blood and was now to help it to renewed greatness.

As soon as I reached the grandstand I introduced the diplomats present to HITLER. They were all enchanted by this demonstration. My friend, the envoy of Poland, admitted that he had never thought such a thing possible. And the cheers of the throng knew no limit, when parts of the Austrian armed forces paraded by together with the German troops, like them covered with flowers. No reunion of two brothers could be more beautifully expressed than by this act at the Heroes' Gate [Heldentor] of the venerable old castle (Hofburg).

I could be satisfied with this historic finish to my work. A gracious fate had seen to it that the historic hour was not desecrated by the blood of brothers. But my thoughts revolved now about the question "What now?". Was I still able to help shape the future?

There was one more service which I could give Austria. In this solemn hour HITLER had to be pinned down by a promise to prevent Austria's spiritual and religious bases from being attacked, as they had been in the Reich. If he would promise to do so, everything might be won.

So I rushed to my friend, Herr von JAUNER and asked him to ascertain immediately whether Cardinal INNITZER was willing to meet HITLER. In short order Herr von JAUNER came back with his eminence's affirmative answer.

All that remained to be done now was to persuade HITLER to talk things over with this prince of the church. I knew that he had invariably avoided all conversations with cardinals or bishops in the Reich. But he was clever enough to see the effect such a friendly conversation would have at this moment on domestic and foreign policy.

A little later I conducted the Cardinal to HITLER's suite in the "Imperial". I can still visualize the surprised faces of the Party Comrades who filled the whole house.

The conversation proceeded to both parties' entire satisfaction. His eminence declared that German feeling and thinking had never been lacking in Austria, but that the opposition against the "Anschluss" had been born exclusively of the fear of Nazism's revolutionary methods. He could promise the Austrian Catholics would become the most faithful sons of the great Reich, to whose arms this memorable day had returned them, provided that schools and church would continue to enjoy the freedom granted in the Concordat, and provided above all that the church would not be excluded from the education of youth—as it had been in the Reich.

HITLER rejoiced over the cardinal's patriotic words, shook his hands warmly and promised everything.

Although we know today that HITLER was lying, to him as to so many others, I am still glad that the cardinal was able to give evidence of the church's good will by this attempt.

My mission in Austria was at an end. I left a few days later.

The events following in the wake of these four years were to disrupt all legitimate rejoicing over their happy ending. The revolutionary elements, which did not dare to eliminate me personally, took their revenge in a different fashion.

Herr von KETTELER never reappeared—in spite of all our attempts to learn through the police what had happened. Our initial hopes that he had joined friends in Hungary proved false. He had last been seen at midnight, leaving my female secretary's apartment, in order to walk home. Afterwards an unknown car was reported seen in the same street; it may have picked him up. The police could not identify the car, although its number had been noted.

After my arrival in Berlin I tried to interest HITLER in the case. He was consistently "absent". Then I turned to GOERING. I deduced from his remarks that KETTELER had been murdered by the Gestapo. But GOERING claimed a large scale investigation was in progress, and the Gestapo had conclusive evidence that KETTELER had been preparing an attack on HITLER. I declared that was entirely impossible. He refused to show me the documents. Then things took a discomfiting turn. I was advised that the Gestapo had ascertained Herr von KETTELER had taken the embassy's secret documents to Switzerland. I was asked for a statement.

I admitted that, in truth, it had been decided 4 February, after my surprising recall, to safeguard part of my reports to the Fuehrer between 1934 and 1938. I declared furthermore, that the papers included no "secret reports" in the sense of any kind of state secret; they consisted only of political reports which were to serve for the clarification of the policy which I had conducted, in case that should ever become necessary. Herr von KETTELER, I stated, had told me that he had deposited these reports with a friend in Switzerland. I did not know just where, I said.

Since no one but my (female) secretary had known of this action, our suspicion immediately fell on KETTELER's intimate friend and confidant, who had followed us to Vienna from the Vice-Chancery as a Gestapo agent, but posing as a newspaper man. He had apparently told him of his trip to Switzerland and of the "documents". He had apparently talked to him often of his hate for HITLER and the Party. He might also have remarked in conversation that HITLER should be assassinated. Now it seemed quite obvious that this devil had Herr von BOSE on his conscience, and had also handed Herr von KETTELER over to the Gestapo.

I registered murder charges with the Vienna district attorney against a person or persons unknown. Of course nothing happened.

Four weeks later a body was fished out of the Danube at Fischamend; it was identified as Herr von KETTELER's remains. The district attorney ordered an autopsy in which the Gestapo participated, of course. It was determined that there was nothing to indicate that Herr von KETTELER had died an unnatural death. Thereupon the district attorney declared the case closed.

We laid the friend to his last rest in the soil of our Westphalian home country. I had lost a fighting comrade, devoted to me for life, who had passionately supported my political work and just as passionately held the Party and its organs in contempt. For he not only thought them corrupt, but also incapable of doing a statesmanlike job. Over his grave I thought bitterly that he, too, had sacrificed his life for the purity of service for the fatherland.

My second secretary, Count KAEGENECK, was filled with fear that the Gestapo intended a similar fate for him. He fled to friends in Sweden for several months. I withdrew to Wallerfangen myself, and awaited an accusation of illegal disposal of state documents abroad.

It never came. The Gestapo was probably disappointed that it could not find any conspiracy against HITLER therein, but only truthful reports on my work for the Reich.

The interested European powers accepted the Austrian "Anschluss" without much ado. They convinced themselves of two facts:

> Austria's membership in the Reich for a thousand years made its desire for a union incontestable, and thus broke the fetters of an unnatural dictate. Its economic structure was doomed and union with the Reich was the only hope for recovery.
>
> The act of 12 March 1938 was supplemented and confirmed by a plebiscite. It is my opinion that any plebiscite held under neutral control would have had approximately the same results.

It was the following question which now pre-occupied the interested powers: What influence on the Reich's foreign policy will the "Anschluss" have, since it has increased the Reich's power? Wise statesmanship could have set an example here. It would have granted Austria far-reaching autonomy in its domestic affairs, leaving it its native character, pacifying the opposition and showing the world that a work of peace and not a suppression of spirit was under way.

The path of foreign policy was mapped out already: Continued elimination of the errors of Versailles through peaceful and conciliatory agreement. The most pressing of these mistakes was the Polish corridor. The problem of the Sudeten German minorities was neither very urgent nor of such immediate influence on the Reich as the separation of East Prussia and the continuous uneasiness of our relations with Poland.

None of these steps was taken by the Reich. There was no vestige of autonomy in Austria. The Party machine ruled. And it ruled by hatred and persecution of all who had disagreed. HITLER appointed the least fit man he could find as High Commissioner Gauleiter BUERCKEL of the Saar and Palatinate.

I knew this man from personal experience; in 1934 I had handed over to him my office of "Reich High Commissioner for the Saar". He was a vaunted school teacher without administrative know-how and politically inept; furthermore his past was the subject of much disagreement.

HITLER was said to have chosen him because he had so successfully put over the Saar plebiscite of 1935. It must be stated that the Party had no merit whatsoever in this vote, which was prepared and put through by the League of Nations. On the contrary, the Party rather endangered the success of the vote, because its wild advocates antagonized all Socialists, Centrum people, and other political varieties who lived in the Saar. At that time I succeeded in persuading HITLER to promise that the introduction of the Party into the Saar would be prohibited until the plebiscite, that none of the existing institutions would be molested, and that the whole program would be contained in the slogan: "The Saar has a purely German population, therefore it remains German."

This man came to Vienna with a false reputation and experienced a fiasco which would better be described by its victims. It was a fiasco all along the line. And BUERCKEL would not have been true to his character if he had not also had poor Cardinal INNITZER insulted by Party rowdies and thrown out of his demolished palace.

My friends later told me what happened when HITLER could no longer keep BUERCKEL in the post and replaced him with Herr von SCHIRACH. The departing Gauleiter asked Austria for a farewell present in recognition of his civilizing and political achievements: a furnished villa.

And the Fuehrer? Instead of being liberal with his native country he incarcerated his opponents—right up to the end of the tragedy. How often I have pleaded with him and HIMMLER to let justice and mercy prevail. I was successful in very few cases.

Now all those will make themselves heard who have suffered from the contempt of law and justice in Austria. They will seek to incriminate all who had taken interest and part in an active solution of the "Anschluss" problem.

But this must not prevent the statesman who has to shape Europe's tomorrow from viewing the problem independent of all sentimentality. For this problem remains a central point of European history and thinking; if, indeed, this old continent is to remain within the orbit of the occidental spirit.

The makers of the peace face a terribly difficult task.

It is patent to all that the technical progress alone, not to mention the pressure of economy, has made Europe much too small for the traditional discord between races, peoples, and nations who were molded in borders formed by accident. We will cease to exist if we do not become reconciled, if we do not bury the old hatchets and learn to think as Europeans. With the Russian colossus, Asia has advanced as far as the Danish border, Thuringia-Saxony, and past Vienna to the Adriatic. Is the migration of peoples to repeat itself? Or do the old cultured nations still have the strength to defend their heritage?

Our hopes for an evolution inside Soviet Russia are considerable. The broad contact which has now been established with the Western World cannot fail to take effect. Russia has become the dominating power in the Baltic and a decisive factor in the Eastern Mediterranean, and has thus assumed new tasks, European ones, which largely necessitate a heretofore unknown solidarity of interests with Europe. It is now the strongest power in our hemisphere, and will attract the small nations of Eastern and Southeastern Europe like a magnet — particularly the Slav nations.

America will take no decisive part in this irrepressible evolution. America is still obsessed with the idea that Germany, demolished as she is to her very basis, can still prepare for a war of revenge. America does not realize that Russia's fabulous rise has swept away all basis for a return to Europe's territorial, political, and spiritual status quo ante.

Only one great power remains outside our continent which should and must have a passionate interest in Europe, because that power's own existence demands it: England.

Thus it is evident that a peaceful evolution of Europe can depend on only three factors: Russia, England, and Germany; the latter will, of course, be a completely passive partner at present. But we also have a few assets to show for the future. There is, as a first example, the revival of our historically proven friendship with the Russian people.

The central European nations have invariably derived good advantage, when we (Germany and Russia) lived in peace and friendship—when Germany was not hostile, but showed understanding of Russia's legitimate vital interests, in the Baltic as well as in the Mediterranean. Therefore our close collaboration is a decisive factor for the future.

But today, after the conclusion of the National Socialist tragedy, our people is weakened almost to the point of death. Unless the peacemakers of tomorrow allow it, our condition does not permit the rendering of service to the spiritual and material recuperation of the occidental heritage. Indeed, no weapons and no armament industry are necessary for that. Moral factors are necessary.

We must be given the assurance that the new world security organization, unlike the League of Nations, will guarantee peace and progress for all, including the vanquished. We must, above all, be given a chance to demonstrate that we wish to think and act as Europeans. Once the criminals against human and divine law have been eliminated, we, as a nation, must be given a chance.

It is above all necessary to maintain the biological substance of our nation, by drawing Germany's borders in a manner which takes account of this controlling viewpoint. As a second asset, we will then be able to help preserve Europe through the reconstruction of our almost destroyed nationality.

In this context, and from this viewpoint, must also Austria's future be decided.

Austria could not live in her former shape. If she is joined with her Successor State, it will have to follow the path of the Slav nations. Therefore she should be joined with Bavaria, and both should be left in a loose federal junction with the remainder of the German Reich, enjoying full autonomy.

The form is unimportant. After all, the long-term British-American occupation can at any time alter a statute if they find it necessary for their purpose to alter it, and if it does not meet European circumstances.

Such wise statesmanlike decisions would assure me that the "Anschluss" and the years through which Austria lived together with its German people, in spite of suffering and sacrifice, will not have been lived in vain.

As the German people's biological nucleus, Austria would have a new, greater, truly European mission!

COPY OF DOCUMENT 3309-PS

AFFIDAVIT OF OTTO MEISSNER

I, OTTO MEISSNER, being first duly sworn on oath, state:

1. I was Chief of the Presidential Chancellory from 1920 to 1924 under President Ebert; from 1924 to 1934 under President von Hindenburg; and from 1934 to 1945 under Hitler.

2. At the same time Chancellor BRUENING took office, the right wing parties, and in particular the National Socialists had been gaining votes in all recent local and regional elections. It was doubtful whether the Reichstag with its strong left wing representations corresponded with the feelings of the German

people and there consequently existed a serious threat that the National Socialists might come into power nationally. This was a possibility which President von HINDENBURG was reluctant to acknowledge. He had fear that HITLER's appointment would lead to domestic oppression of other parties and parts of the population and to difficulties in foreign policies. Everybody knew that the risk of war in the event of HITLER's accession to power was involved in Hindenburg's reticence. Beyond doubt, the dominant theme in HINDENBURG's thoughts throughout the period leading up to HITLER's appointment as Chancellor—and in particular after the period of BRUENING's fall—was the problem of how to handle the National Socialists, in particular whether they could be kept out of power—or, if not, that the conditions were under which they could be admitted to the government. HINDENBURG hoped that a right wing coalition government might be formed, in which the Nazi threat would be absorbed. On the other hand HINDENBURG feared the possibility that the Nazis might rise to power by force.

3. The attitude of the PAPEN cabinet toward the National Socialists was not uniform. Some of the ministers such as GUERTNER, the Minister of Justice, Schwerin von KROSIGK, the Minister of Finance, Freiherr von BRAUN, the Minister of Food and Agriculture, and, at the beginning, also SCHLEICHER, who had become Reichswehrminister, believed that the correct line would be to draw nearer to the National Socialists with the aim chiefly of taking some National Socialists as ministers into the Reich Government. On the other hand, PAPEN himself and Freiherr von GAYL, the Minister of the Interior, believed a strictly defensive position was necessary against the Nazis and against the setting up of semi-military formations. SCHLEICHER wavered somewhat between these two viewpoints. It is important for understanding of the events of this period to keep clearly in mind the fact that PAPEN and SCHLEICHER did not see eye to eye with each other on this question of handling the National Socialists and that, originally PAPEN was more opposed to giving them power than SCHLEICHER.

4. HINDENBURG, at this time, was of the opinion that the National Socialist strength was ephemeral only and would disappear as the economic situation improved. Moreover, he was unwilling to entrust the National Socialists with government and did not change his mind when, in contrast to PAPEN's hopes and expectations, the elections of July 1932 brought an increase in National Socialist votes.

The first meeting confirming this question between HINDEN-

BURG and HITLER occurred on the 13 August 1932, following a personal request by HITLER transmitted to me by HITLER's adjutant, BRUECKNER. This meeting was held in HINDENBURG's study, and, aside from HINDENBURG and HITLER, only GOERING and myself were present. HITLER outlined in a long speech his general ideas and his political aims, emphasizing that he wanted to come to power by legal means, discussing at length the domestic reforms he hopes to achieve, as well as declaring a desire to regain Germany's sovereignty in the military field and over the whole extent of German territory. At this conference he stressed explicitly that he wanted to achieve all these aims only by pacific means, through negotiation and persuasion. He stressed repeatedly that in order to achieve these aims and to work successfully he needed to have full power, that he would be unable to carry these plans with coalitions and promises by rival groups. He therefore rejected any division of power with other parties. HINDENBURG stated that because of the tense situation he could not in good conscience risk transferring the power of government to a new party, such as the National Socialists, which did not command a majority and which was intolerant, noisy, and undisciplined.

At this point, HINDENBURG, with a certain show of excitement, referred to several recent occurrences—clashes between the Nazis and the police, acts of violence committed by HITLER's followers against those who were of a different opinion, excesses against Jews and other illegal acts. All these incidents had strengthened him in his conviction that there were numerous wild elements in the Party beyond effective control. With regard to foreign policy, HINDENBURG stated that conflicts with other states had to be avoided under all circumstances. After extended discussion, HINDENBURG proposed to HITLER that he should declare himself ready to cooperate with the other parties, in particular with the right and center and that he should give up the one-sided idea that he must have complete power. In cooperating with other parties, HINDENBURG declared, he would be able to show what he could achieve and improve upon. If he could show positive results, he would acquire increasing and even dominating influence even in a coalition government. HINDENBURG stated that this also would be the best way to eliminate the widespread fear that a National Socialist government would make ill use of its power and would suppress all other viewpoints and gradually eliminate them. HINDENBURG stated that he was ready to accept HITLER and the representatives of his movement in a coalition government, the precise combination to be a matter of negotiation, but that he could not take the responsibility of giving exclusive power to HITLER alone. In his reply, HITLER stated that it was not his intention to place party members in all ministerial jobs and leading positions, but that he would take in experts and experienced civil servants. He was adamant, however, in refusing to put himself in the position of bargaining with the leaders of the other parties and in such manner to form a coalition government. As was announced in the communique following this meeting, HINDENBURG and HITLER failed to reach any agreement concerning participation in the government by the Nazis.

In the period which followed HINDENBURG had further discussion with HITLER and GOERING. Although HITLER continued to insist on his demands for undivided power and upon his appointment as Chancellor, he made some concessions in so far as he emphasized repeatedly that he did not intend to give all ministerial positions to members of his party, but would appoint tested experts quite without reference to Party membership, and he would leave the appointment of the Reichswehrminister to Reichs President as Commander-in-Chief of the Army, and, if the President desired, he would also leave the Foreign Minister von NEURATH in his position, as an indication that no fundamental change in foreign policy was intended.

I, myself, also remain in contact with the National Socialists through KOERNER, an intimate friend of GOERING's, who later became State Secretary in the Four Year Plan. In general these negotiations and contacts gave the impression that, although outwardly the National Socialists insisted on their demand for full power, they were nevertheless interested in getting into the government without breaking off all contacts with the Reichs President.

This is not unimportant for understanding the development which led to the replacement of PAPEN by SCHLEICHER. HINDENBURG and SCHLEICHER agreed that HITLER's demand for full power would have to be resisted, but that his inclusion in a coalition government of the Reich, which would be formed on as broad a basis as possible, was desirable and should be aimed at.

The negotiations recounted above and contacts with Gregor STRASSER had led SCHLEICHER to the belief that he would be able to achieve this. PAPEN seemed unsuited to such a task. Dissolution of the Reichstag and new elections had not diminished but only increased the National Socialist poll of votes, and

PAPEN was without support in the Reichstag. He thereupon tendered his resignation.

5. PAPEN's re-appointment as Chancellor by President HINDENBURG would have been probable if he had been prepared to take up an open fight against the National Socialists, which would have involved the threat or use of force. Almost up to the time of his resignation, PAPEN, and some of the other ministers agreed on the necessity for pressing the fight against Nazis by employing all the resources of the State and relying on Article 48 of the Constitution, even if this might lead to armed conflict. Other ministers, however, believed that such a course would lead to civil war.

The decision was proved by SCHLEICHER, who in earlier times had recommended energetic action against the National Socialists—even if this meant the use of police and army. Now, in the decisive cabinet meeting, he abandoned this idea and declared himself for an understanding with HITLER.

The gist of SCHLEICHER's report—which was given partly by himself—partly by Major OTTO, who adduced detailed statistical material—was that the weakened Reichswehr, which was dispersed over the whole Reich, even if supported by civilian volunteer formations, would not be equal to military operations on a large scale, and was not suited and trained for civil war. The police, in particular the Prussian police, had been undermined by propaganda and could not be considered as absolutely reliable. If the Nazis began an armed revolt, one must anticipate a revolt of the Communist and a general strike at the same time. The forces of these two adversaries were very strong. If such a war against two fronts should take place, the forces of the State would undoubtedly be disrupted. The outcome of a civil war would be at least most uncertain.

In his, SCHLEICHER's view, it was impossible to take the risks implied in such a policy. In case of failure, which he believed likely, the consequences for Germany would be terrible. All present in the cabinet meeting were deeply impressed by SCHLEICHER's statement, and even those who had been in favor of energetic action against the National Socialists now change their mind, so that PAPEN felt himself isolated.

In the interview which PAPEN had with HINDENBURG after this meeting on November 17th, 1932, PAPEN did not conceal his deep disappointment over SCHLEICHER's altered position. Although HINDENBURG asked him to make a new attempt to form a government, PAPEN stood on his decision to resign and HINDENBURG gave in.

6. The weakening of SCHLEICHER's position as Chancellor is best understood by referring to the foregoing review of the situation which led to his elevation to that position—namely, the fact that PAPEN was dismissed because he wanted to fight the National Socialists and did not find in the Reichswehr the necessary support for such a policy, and the fact that SCHLEICHER came to power because he believed he could form a government which would have the support of the National Socialists. When it became clear that HITLER was not willing to enter SCHLEICHER's cabinet and that SCHLEICHER on his part was unable to split the National Socialist Party, as he had hoped to do with the help of GREGOR-STRASSER, the policy for which SCHLEICHER had been appointed Chancellor was shipwrecked. SCHLEICHER was aware that HITLER was particularly embittered against him because of his attempt to break up the Party, and would never agree to cooperate with him. So now he had changed his mind and decided to fight against the Nazis—which meant that he now wanted to pursue the policy which he had sharply opposed a few weeks before, when PAPEN had suggested it. SCHLEICHER came to HINDENBURG therefore with a demand for emergency powers as a necessary prerequisite of action against the Nazis. He deemed also to be necessary the dissolution, and even temporary eliminations, of the Reichstag, which was to be done by decrees of the President on the basis of Article 48—the transformation of his government into a military dictatorship, and a government to be carried on generally on the basis of Article 48.

SCHLEICHER first made these suggestions to HINDENBURG in the middle of January 33 but HINDENBURG at once evinced grave doubts as to its constitutionality. In the meantime PAPEN had returned to Berlin, and through arrangements with HINDENBURG's son, had had several interviews with the President. When SCHLEICHER renewed his demand for emergency powers, HINDENBURG declared that he was unable to give him such a blank check and must reserve for himself decisions on every individual case. SCHLEICHER, for his part, said that under these circumstances he was unable to stay in government and tendered his resignation on 28th January 1933.

7. In the middle of January, when SCHLEICHER was first asking for emergency powers, HINDENBURG was not aware of the contact between PAPEN and HITLER—particularly the meeting which had taken place in the house of the Cologne banker, Kort von SCHRODER. In the second part of January, PAPEN played an increasingly important role in the house of

the Reichs President, but in spite of PAPEN's persuasions, HINDENBURG was extremely hesitant—until the end of January—to make HITLER chancellor. He wanted to have PAPEN as chancellor once more. PAPEN finally won him to HITLER with the argument that the representatives of the other right wing parties which would belong to the Government would restrict HITLER's freedom of action. In addition PAPEN expressed his misgiving that, if the present opportunity should again be missed, a revolt of the National Socialists and civil war were likely.

Many of HINDENBURG's personal friends, such as OLDENBURG—JANUSCHAU, worked in the same direction as PAPEN, also General von BLOMBERG. The President's son and adjutant, Oskar von HINDENBURG, was opposed to the Nazis up to the last moment. The turning point which changed his mind came at the end of January. Then, at the suggestion of PAPEN, a meeting had been arranged between HITLER and Oskar von HINDENBURG in the house of RIBBENTROP. Oskar von HINDENBURG asked me to accompany him, and we took a taxi, in order to keep the appointment secret, and drove out to RIBBENTROP's house. When we arrived we found a large company assembled; among those present were GOERING and FRICK.

Oskar von HINDENBURG was told that HITLER wanted to talk to him under four eyes, and as HINDENBURG had asked me to accompany him, I was somewhat astonished that he accepted this suggestion and disappeared in another room for a talk which lasted quite a while—about an hour. What HITLER and Oskar von HINDENBURG discussed during this talk I do not know.

In the taxi on the way back Oskar von HINDENBURG was extremely silent, and the only remark which he made was that it could not be helped—the Nazis had to be taken into the Government. My impression was that HITLER had succeeded in getting him under his spell. I may add the amusing fact that early next morning SCHLEICHER telephoned and asked me what had been discussed with HITLER the evening before; this shows that all our precautions to keep the matter secret had been of no avail.

For a very long time I had taken a distinctly negative attitude toward the accession of HITLER to power and up to the end did nothing to dispel the doubts which the Reichs President felt about the wisdom of making HITLER Chancellor. (I had an exchange of letters with HITLER about this, which were published in the papers of the press.) I want also to add that I was eliminated from these negotiations by PAPEN, who negotiated with the

Reich's President under four eyes and who barely kept me informed about his discussions with the Reich President and his negotiations with HITLER and GOERING. This was in distinct contrast to the way in which on previous occasions governments had been formed—as, for example, at the time of BRUENING's dismissal, when HINDENBURG, SCHLEICHER and I spent considerable time going over various names suggested as possible candidates for the position as Chancellor before the name of PAPEN was definitely decided upon. In view of this difference, what I know now in regard to the last maneuvers to place HITLER in office comes from the Reich President himself.

8. I also had no part in PAPEN's negotiations on the personnel which should compose the new government. Only after this issue had been settled did I receive the list and the order to write out the formal documents of appointments and to prepare the swearing of the Chancellor and of the new Reich's ministers. On the other hand, when I saw that despite his hesitations HINDENBURG had decided to accept PAPEN's proposals, I gave up my opposition.

9. The facts stated above are true to the best of my knowledge, information and belief. This declaration is made by me voluntarily and without compulsion. After reading over this statement I have signed and executed the same at Oberursel, Germany, this 28 day of November 1945.

[Signed] OTTO MEISSNER

TRANSLATION OF DOCUMENT 3546–PS

Extract from "DAS AHNENERBE"
(Diary 1944)

Page 7—6 January
1830 hours.
2. SS Hstuf. Dr. Rascher
(c) Letter from RFSS to Ogruf. Pohl about assistance for scientific research work.
(d) Rooms for carrying through of freezing experiments.

Page 24—23 January
1130 hours.
Lecture to RFSS together with Ostubaf. Dr. Brandt:
1. We shall receive the reports of Prof. Schilling.

Page 30—28 January
0900 hours—RFR, SS Brif. Prof. Dr. Schwab:
2. Cooperation with Institute R, Dachau.

Page 32—29 January

1730 hours—With SS Hstuf. Rascher and Dr. Pacholegg to Dahlem.

Page 37—2 February

13. CA–Work—first picture of living cancer cells and the fight against them. Hirt succeeded in picturing living cancer cells and thereby proving the Tripaflavin penetrates into the heart of the cell as coloring matter detrimental to the cancer cells.

21. Protectional vaccination for spotted fever—by Prof. Haagen. The protectional vaccination for spotted fever in Natzweiler goes on with good results.

Page 53—22 February

1330–1500 hours.

2. Conference with Dr. Habil Ed. May:
   (b) Cooperation with Dr. Ploetner and Prof. Schilling.

Page 58—25 February

0900–1520 hours.

3. Report for RFR
   Prof. Blome (by phone): Order of the RFSS about his work in Dachau and cooperation with Rascher communicated.

Page 81—22 March

1830–2100 hours SS Hstuf. Dr. Rascher:

Preparation of the freezing experiments for the winter half-year, 1944–45.

Page 103—14 April

1300–1515 hours Station Rascher:

Situation of work, further work, orders for provisional carrying on—Hstuf. Ploetner introduced.

1515 hours Political Department about escape of Pacholegg.

1525 hours Ostubaf. Weiter about Station Rascher.

Page 142—23 May

1300–1330 hours Reichsarzt SS:

Conference with Agruf. Grawitz, Staf. Poppendick, and Hstuf. Dr. Ploetner.

Cooperation.

Division as to the work of Dr. Schilling's.

1330–1530 hours. SS Hstuf. Dr. Ploetner

Taking up of personal contact with SS Stubaf. Prof. Dr. Hirth.

Page 150—31 May

1745–2030 hours SS Hstuf. Dr. Ploetner

1. Order Reichsarzt SS reference cooperation with Prof. Schilling.
3. Use of inmates in accordance with order of RFSS, dated 25/5/44.

Page 179—27 June

1500–1900 Hours Conference with SS Staf. Dr. Brandt and SS Hstuf. Berg:

24. Creation of a scientific research station in a concentration camp. Information about conference with SS Ogruf. Pohl, dated 15/6/44.

Page 205—25 July

0730 Hours Together with Ostubaf. Klumm to Oranienburg:

Conference with SS Staf. Maurer, Oranienburg, about use of inmates for scientific purposes.

Page 206—26 July

0830–1900 hours R F R

SS H'Stuf. Dr. Fischer (by phone): Order in accordance with conference with SS Staf. Maurer, dated 25/7/44 to journey fastest through all concentration camps in order to fix finally the persons.

Page 279—21 October

1500–1545 hours

2. Proceeding or research of SS Stubaf. Prof. Dr. Hirt. Renewed release of Staff Surgeon Dr. Wimmer for duty, and setting aside of the Chemist, SS Ostuf. Martinek in accordance with letter of 6/10/44.

Page 281—23 October

1645–1655 hours. SS Staf. Dr. Poppendieck (by phone):

Taking over of biological research by SS Staf. Dr. Ploetner in Dachau.

TRANSLATION OF DOCUMENT 3572-PS

Berlin, 25th April 1938.

G/14
POL I 260 g. Rs.
Appendix to the decree of 2nd April 1937 Pol. I 1686/37 g. Rs./

Since the work in the field of preparation for the mobilization has made further progress within Germany in the Armed Forces and in all civil-administrations including the Foreign Office, it is necessary now that in the case of government offices abroad corresponding measures also be taken in their area of jurisdiction without delay and that they be brought into line with the duties owed the mother-country. The commencement of a period of crisis or of the actual mobilization confronts the offices abroad in manifold fields with great and difficult tasks, the nature and extent of which will be very varied due to local and political conditions. Among others the following are mentioned: the increase of personnel, the making use of Germans for special duties (code and special W/T service, propaganda, etc.) the securing of archives and the destruction of secret matters, the safeguarding of the needed financial resources, the guaranteeing of the transmission of intelligence, the transport home of men liable for military service, the protection of German individuals and property, the cooperation in economic planning concerned with organization, which must necessarily include the economic possibilities abroad.

The detailed spheres of activities will be made known in further decrees on the part of the various departments of the Foreign Office. The work to be done then by the offices abroad is to be tackled before hand. The carrying out of all preparatory mobilization measures, which are of course to be treated as "Top Secret", comes under the personal supervision and is the responsibility of the head of the office. In times of peace these measures must be taken care of by the available personnel.

I request the heads of offices—without waiting for further instructions—to start considering now the measures to be taken into consideration in their sphere of activity in the case of a serious situation, and then at once to submit appropriate proposals. In the interest of absolute secrecy it must be observed strictly that the number of people informed remains as restricted as possible. If necessary the reports are to be written by hand by the head of the office himself.

I request that this decree, which is to be kept sealed and under lock and key by the head of the office, be acknowledged in writing with these words only, "I have received the decree Pol. I 260/38 g. Rs. of the 25th April."

[signed] WEIZSACKER

F 20287

To.

All diplomatic representatives, The German Consulates General in ADDIS ABABA, BATAVIA, BEYRUT, DANZIG, JERUSALEM, CALCUTTA, OTTAWA, SINGAPORE, SYDNEY.
To all German Consulates in COLUMBO, HANOI, HONGKONG, LUANDA, LOURENZO, MAREQUES, MANILA, MONROVIA-LIBERIA, NAIROBI, TETUAN—each especially
Buero R.M. Pers.
F 20286

TRANSLATION OF DOCUMENT 3594–PS

AFFIDAVIT

I, Hildegard Kunze, being duly sworn, declare:

1. I am 20 years old and was employed as a typist and stenographer in Subsection IV-A 4 b of the Reichssicherheitshauptamt [RSHA] from April 1942 until April 1945. The chief of this Subsection was Adolph Eichmann. The work of the Section concerned the confiscation of Jewish property, Aryanization, and the classification of Jews and of first and second degree hybrids.

2. I distinctly remember a letter that was processed in the section some time late in 1943 or early 1944, signed by Seyss-Inquart and addressed either to Himmler or Kaltenbrunner. It was in the form of a report on the progress of his administration of the Netherlands. In this letter it was stated that on the whole everything in Holland was going according to plan and that he had progressed further with measures in Holland than was the case in Germany, and that he would consider it right if his measures were to be adopted for Germany, too.

3. I remember that either in this report or another report he suggested that all Jews privileged to remain in Holland should be sterilized.

Subscribed and sworn to before me this 8th day of January 1946 at Nurnberg, Germany.

signed:

Smith W. Brookhart Jr.
Lt. Col. I G D

The foregoing statements have been made voluntarily under oath.

[signed] Hildegard Kunze

TRANSLATION OF DOCUMENT 3661–PS

COPY

Schaulen, 8 September 1941
Schr.-Hp

The Regional Commissar in Schaulen.
To the Reich Commissar for the Eastland (Ostland) Riga
Re: SS Colonel (Standartenfuehrer) Jaeger

A Captain Stasys Senulis, residing in Schadow, Ponnewesch district, appeared today at the office of the Regional Commissariat in Schaulen, stating that he had been ordered by SS Colonel Jaeger to seize all silver and gold articles of Jewish ownership. He had been in Schadow and also in Radviliskis. Both mayors, acting on instructions from the Regional Commissar, had refused to deliver up these articles.

I strictly forbade Senulis to carry out the order of SS Colonel Jaeger, and I beg you to prohibit Jaeger from taking any independent arbitrary measures relating to the Jews.

The two certificates, copies of which are enclosed, were taken from Captain Senulis.

This fresh incident clearly demonstrates that Colonel Jaeger does not consider himself bound by the instructions issued by the Reich Commissar and by the Regional Commissar regarding the seizure of Jewish property and that he meddles in matters that do not concern him.

If the SS continues to overreach itself in this fashion, I, as Regional Commissar, must refuse to accept responsibility for the orderly confiscation (Erfassung) of Jewish property.

Furthermore, I shall take every opportunity to emphasize to the heads of districts and the mayors that they are not to take orders from offices other than those of the Reich Commissar the Commissar General, and the Regional Commissar.

Because of the importance of this matter, a letter of similar content is being sent to the Commissar General in Kauen.

[Signed] Gewecke

Enc.

TRANSLATION OF DOCUMENT 3697–PS

[Extract from an Austrian court document in the proceedings against Dr. Rudolf Neumayer.]

Copy

Vg 1 b Vr 445/45 Hv 187/45

Third day of Trial—30 January 1946

Commencement: 9 a. m.
Present:

Tribunal, Defendant, Defense Counsel as on the first day of the trial.

Secretary: JAng. Trumler.

The Witness Wilhelm Miklas, personal particulars in File No. 29 adds: resident in Vienna I. Wildpretmarkt No. 1, not related to the accused.

The Defense states that it will waive the swearing in of this witness.

The Prosecuting Attorney also states that it will waive the swearing in of this witness.

The Witness: Warned to tell the truth and not sworn in after it was agreed upon to waive the oath.

The President: Since when have you known the defendant?

The Witness: Actually only since his appointment as Finance Minister in 1936. I cannot remember the exact date now.

The President: That is to say since November 1936. Do you perhaps know the reasons why the Chancellor fixed on the defendant at the time when the Finance Minister, Dr. Draxler, resigned from the Cabinet?

The Witness: I do not know the reason. For me the order of the Austrian Chancellor was alone decisive, who himself chose the members for his Cabinet. In this case I naturally raised no objection, particularly as I knew that this was done in agreement with the National Council. I also do not know the reasons why the Chancellor felt obliged to fix on the person of Dr. Neumayer. Obviously the Chancellor wished to have someone who was not a political outstanding expert in financial affairs. That was my impression.

The President: After Dr. Neumayer's appointment as Finance Minister you must have come repeatedly into contact with him on the occasion of receptions and certain other State occasions. Did you become better acquainted with the defendant?

The Witness: I did not often come into contact with the defendant, even privately.

The President: Cannot you tell us something about the events of 12 February 1938—that is, about the Chancellor's journey to Berchtesgaden and the results which followed—how the change of government, etc., came about?

The Witness: I only know one thing, that on 11.11.1938 a so-called "Patriotic Ball [Vaterlaendischer Ball"] took place in Vienna. The newspapers wrote at the time that this was the first official State ball in Austria since the government of the "Patriotic Front [Vaterlaendische Front"]. In this connection I remarked that I could look back on a period of 52 years' work as a State Official and that I was not a member of the "Patriotic Front". I always declined to become one, because of my position as President. I was convinced that the head of the State must be above all parties. One can imagine how difficult that was to carry through. I had a very difficult position. I did not attend this official State ball of the Patriotic Front, but went with my wife to Mariazell that day. There I received a telephone message from the then Secretary of State, Dr. Guido Schmidt, who informed me that a meeting had been arranged in Berchtesgaden between the Chancellor and the Head of the German State, Hitler.

I would point out in this connection that we had received terrible drubbings by Germany in the economic and political spheres in the years preceding 1938; I would point for instance to the 1000 Mark embargo, which considerably curtailed our tourist traffic in the Western Alps. I would point out that this telephone conversation took place perhaps as early as 10.11.38. In any case I was asked by Dr. Guido Schmidt what I thought of the Chancellors meeting with Hitler in Berchtesgaden. To this I said: "It is of course very difficult". It was intimated to me that the Chancellor desired this discussion, it was only a question of asking the President if he was in favor of it. I asked what was to be the aim of this discussion whereupon I was told that the object was to clear up the misunderstandings which had arisen in Austria in the execution of the Agreement of July 1936. This Agreement of 1936 was drawn up by the Government alone and was exacted by Germany and accepted, and remained a "gentleman's agreement." It was thus no State Agreement but a pact between the two heads of the Austrian and German Governments. The President had naturally nothing to sign. It is thus that this "gentleman's agreement" came about. It was also the same with the "Berchtesgaden Protocol." Germany, through the 1000 Mark embargo, had, as already mentioned, taken our best tourist traffic in the Western Alps away from us, so that there was ill-feeling in the Western areas.

Replying to a question by the Prosecuting Attorney: The witness states: Is it indeed true that at that time (11.11.1938) the 1000 Mark embargo was no longer a matter of the moment.

The President: Did the invitation regarding the meeting between the Chancellor and Hitler in Berchtesgaden come from Austria or from Hitler, i.e., from Germany?

The Witness: This invitation came from Germany through Herr v. Papen. Consequently the Chancellor, Dr. Schuschnigg, went to Berchtesgaden accompanied by Dr. Guido Schmidt. On their return from the Berchtesgaden journey they gave a short report on the manner in which the discussion had taken place. I have only heard one thing regarding the contents of the Berchtesgaden Protocol, that Dr. Guido Schmidt sat for hours in an adjoining room of the Berghof and tried, together with Hitler's confidants, to alter this or that point of the Protocol in Austria's favor, or to let it drop altogether. This was all done in Austria's interest. Dr. Guido Schmidt has therefore rendered service to Austria in a certain sense. The protocol was handed over by Hitler in the form of an ultimatum. I was told all this by Dr. Guido Schmidt.

The President: What did the Chancellor report to you regarding the discussion at Berchtesgaden?

The Witness: The Chancellor informed me that certain points had been agreed upon regarding an interchange of officials, particularly with regard to officers of the Armed Forces. Thus the Chancellor gave information on matters which one can discuss among friends. These are the principal points which the Chancellor mentioned to me. The Chancellor reported further that, with regard to the remodelling of the Government, the entry of Seyss-Inquart into Dr. Schuschnigg's Government and his appointment as Minister of the Interior was demanded. That was a direct command by Hitler. After much hesitation and under the influence of the reception at Berchtesgaden, as well as of military pressure behind the scenes—Hitler is said to have raved during this discussion—the Chancellor undertook the desired remodelling of his Cabinet. If this demand of Hitler was not fulfilled, there was the greatest danger of the outbreak of war. Hitler granted the Chancellor a short period of time in order that Dr. Schuschnigg could discuss this demand with his people.

I think the Chancellor was allowed a period up to 15.11.1938. The authoritative members of the Austrian Government declared at that time that we must endeavour to yield. There was the danger of the outbreak of a second war, which might have been a terrible danger for the whole of Europe.

This remodelling of Dr. Schuschnigg's Cabinet, by the appointment of Seyss-Inquart as Minister of the Interior, took place during this period. Seyss-Inquart was thus made Minister of the Interior and immediately brought in the National Socialists in the National Socialist spirit [im nationalsozialistischen Sinne] to reinforce the police, as in a similar instance at the time of Dr. Dollfuss, and, as happened previously under the Social-Democratic government, when the "Republican Defensive Confederation" [Republikanisch Schutzbund] was formed. You can imagine what a difficult position I had between these parties, which had their own private military forces. In my position as President I was so to say the whipping boy of the government, the party for the moment in power.

The President: You now appointed Seyss-Inquart Minister of the Interior in accordance with the demand? Were you acquainted with him before this, or did you only now make his acquaintance?

The Witness: I only made his acquaintance on his appointment as Minister of the Interior; before that I did not know him. I had only heard that he was doing quite well out in Doebling, in any case he was a man with whom one could talk things over. I was also told that Seyss-Inquart was a diligent church-goer. But I knew nothing more about Seyss-Inquart personally; I did not know him personally before his appointment as Minister.

The President: Was this appointment of Seyss-Inquart a difficult problem?

The Witness: It was not only a difficult problem, it was directly caused by the circumstances which prevailed at that time in the Chancellery on the Ballhausplatz. The President could not act otherwise, under the burden of saving Austria from the worst that could happen, namely the entry of the German troops which would be looked upon as enemies and preventing a total war. Vienna would have been "bombed to bits" by the Germans.

The Prosecuting Attorney: Had you not previously inquired of the Western Powers as to whether you should consent to the Berchtesgaden Agreement?

The Witness: The Chancellor was continually in contact with the Ambassadors of the Western Powers, and continually drew their attention to Austria's difficult position in face of the Hitler Reich threat to Austria; but he found little understanding of the matter. The leaders of the Western Powers only saw the difficulties of their own countries. At the eleventh hour Mussolini refused to be consulted. There was also no real interest on the part of England. We felt ourselves to be completely abandoned by Europe.

The President: Did the defendant, who was Finance Minister at that time, attend the Ministerial Council Meetings of Dr. Schuschnigg's Cabinet?

The Witness: Yes.

The President: Do you know whether, and to what extent the individual Ministers were informed of the events at Berchtesgaden and of Hitler's demands?

The Witness: I can make no statement about this, I do not know. In this connection I would remark that, in my position as President I could not take part in the meetings of the Ministerial Council. In any case I did not discuss the Berchtesgaden Agreement and its consequences with the defendant. I cannot say therefore if the Defendant was well informed on this point or not.

The President: What can you remember regarding the events of Friday, 11.3.1938. What took place then in the Chancellery, what were your own experiences at that time?

The Witness: I must admit that I was not kept informed by the Government of the events of that time relative to the difficult situation in which Austria had found herself at that time. I was not informed of all the events which took place in the sphere of Foreign policy. Of course I could have done nothing about it. The consequence of not having been informed about everything was that I was somewhat surprised at the terrible foreign situation, which threatened to become acute. As Schuschnigg was in contact with the Western Powers, as with Paris and London, I did not consider the matter to be so very threatening and tragic.

The President: What have you to say regarding the plebiscite?

The Witness: This plebiscite was suggested to the Chancellor by France. The Chancellor regarded this plebiscite as a good safeguard for Austria. It could then have been publicly referred to that Austria stands steadfast by reason of the people's vote. Austria must then have remained a State. But this plebiscite was arranged too late. Had it been carried out—as I continually urged—perhaps in 1934 or 1935, things might have been different. Had it been carried out after the murder of Dr. Dollfuss, that would "probably" still have been the right time. But I even regard this "probably" as doubtful. For I was told that already at that time the situation in Austria was such that a plebiscite might possibly have led to armed conflict between the parties, i.e., to civil war. For Austria was at that time already severely infected with National Socialism. A plebiscite at that time would perhaps have been all the more likely to bring about the intervention of Hitler Germany.

Thus, at the beginning of the week to 11.3.1938, the problem of the plebiscite came up. At that time the Chancellor visited me with the Foreign Minister—other men also called on me in this connection—and was of the opinion that a plebiscite was necessary for the moral security of the State. I naturally agreed with pleasure, and would remark in this connection that this plebiscite must be formally held by the President.

The Chancellor therefore visited me with the Foreign Minister and I agreed to the plebiscite. The Chancellor then went to Innsbruck and there, in his party circle, in the "Patriotic Front" made the speech showing the Austrian point of view which is so well known to all.

He thereupon returned to Vienna and from this moment on began the counter-thrusts on the part of the National Socialists who already felt themselves protected by the military might proclaimed by Hitler. Thus this prohibited National Socialist Party had already made itself manifest to the outside world. Austria was already undermined by the Nazis. There was now much correspondence back and forth between the Chancellor and

Hitler. Schuschnigg tried to find some kind of way out. Schuschnigg insisted in carrying out the plebiscite. In the meantime the events of 11.3.1938 took place. With regard to these events of 11.3.1938 I should like to say that I still believed, "What can happen to us, at all events we are assured of the protection of the Great Powers and of Italy, Hitler will not dare to bring us to our knees by armed force." But in the end the National Socialist revolution within the country, strengthened by the consciousness that the Nazis were certain of military help from Germany, was not to be checked. This National Socialist Revolution within the country grew and grew and resulted finally in Hitler's military ultimatum.

On Friday 2.3.1938 about midday, I knew nothing about a military ultimatum, indeed of any ultimatum at all. About midday I drove home to my modest dinner. While at home I received a telephone message from the Foreign Minister that Germany had just sent an ultimatum to the Austrian Government which demanded the appointment of Seyss-Inquart as Chancellor, i.e., the formation of a new Government under the leadership of Seyss-Inquart. The ultimatum probably also demanded the abandoning of the plebiscite proposed for Sunday. The plebiscite was to take place under National Socialist direction. This ultimatum had, I think, no time limit. This ultimatum was given to the Schuschnigg Government and not to the head of the State. Naturally Dr. Schuschnigg did not wish to bear the responsibility alone and I was therefore informed and asked to come to the Chancellery. I arrived at the Chancellery at 2 p. m. and was personally informed of this ultimatum. I said "that is quite impossible, we will not be coerced, we have 'Protecting Powers', for example in Geneva, and we would like to know what they will say to it." We immediately informed the Western Powers about the ultimatum. For this purpose Ambassador Ludwig communicated by telephone with Rome, Paris, and London. Teletype messages were sent. We wanted to discover the frame of mind of the government circles of the Western Powers. I said the ultimatum was to be refused. That appears to have been done by the Government in some form or other, whereupon the German Reich presented a military ultimatum. This military ultimatum contained the same demand as the first one. This ultimatum was addressed to the head of the State, i.e., to me.

The President: When was this military ultimatum presented?

The Witness: In the afternoon round about tea-time. This ultimatum I also refused. Then the Secretary of State, Dr. Keppler arrived and informed him that I was refusing the ultimatum. A second military ultimatum was then presented, that was at approximately 6.30 p.m. Major General Muff brought me this second ultimatum. The two military ultimatums had a time limit up to 7.30 p.m. After the expiration of this time limit the entry of German troops into Austria was threatened—there were 200,000 men on the Western border from Bregenz to Passau. We were threatened with the German troops obtaining the requirements of the ultimatum by force. I informed the two gentlemen, Dr. Keppler and Major General Muff (I was on good terms with the latter) that I refused the ultimatum. I condoled with Major General Muff that he was the one to have been chosen to hand me the ultimatum. I refused both ultimatums and told the two gentlemen that Austria alone determines who is to be the head of the State in Austria, as is also the case in Luxembourg, Holland, Belgium, Denmark, and also in the Scandinavian countries, and why should we not be granted this right, and that I insist upon Austria herself and her functionaries alone determining the composition of the Government. That was noted by the two gentlemen. I naturally informed the Chancellor of this. There was continual contact between me and the Chancellor during the critical hours of 11.3.1938, in fact until the morning of 12.3.1938. There was also continual contact between us and Dr. Guido Schmidt. After Dr. Schuschnigg had delivered his well known farewell speech in the evening, he was still busy with the carrying on of the Government until the formation of a new Government. Dr. Schuschnigg had already told me of his resignation before making this radio speech.

The President: Did you know this radio speech?

The Witness: I did not hear it, I was told about it later on.

The President: The Chancellor spoke as follows in this speech: "The President has charged me to inform the Austrian people that we yield to force". Do you remember this passage?

The Witness: It is quite out of the question that I could have given such an order. I have never said anything regarding the contents of this speech. He may have drawn his conclusions from the consultation I had with the Chancellor—he did say that we must say that we must yield to force. I gave no instructions whatsoever as to this speech of the Chancellor. Only one thing occurred. Dr. Schuschnigg told me already in the afternoon that he intended to resign. This resignation was, I think, made known by radio. That must have been about 2 or 3 p.m. It is possible, however, that his resignation was not notified by radio, but that the countermanding of the plebiscite was made known. But in any case the Press was advised of the Chancellor's resignation. I said at the time "things have not gone so far that we must capitulate".

The President: Did the Chancellor say to you the second time that he would make his resignation public?

The Witness: No. According to old custom the Press is advised. I would state that I did not know that the Chancellor himself would speak. Reverting to the Chancellor's radio speech, in which he refers to an order given by me that we must yield to force, I would remark, as previously mentioned, that this is the conclusion drawn by him from the conversations with me and Dr. Guido Schmidt. He considered himself morally justified, as Europe had left us in the lurch. The conversations with Paris, London, and Rome continued in the meantime, but with no results. Mussolini could not be contacted. Paris said "we have trouble enough with the new Cabinet crisis home". It was just such a situation as would have led to a conflict over Austria with the outbreak of a second World War. This dreadful situation applied to the whole of Europe. Since I had no help whatsoever in either domestic or foreign policy there was only one solution possible, that a Chancellor be appointed who would be acceptable as negotiator by the opposite side, i. e., by the government of the Reich.

The President: Thus the position at that time was such that the Austrian State could be said to be in a state of emergency, on the brink of war?

The Witness: Yes, it certainly was.

The President: Were you personally, as head of the State, yourself in a state of peril on account of this emergency? Were you aware of the internal situation during these critical days? Did you know what was then happening in the streets of Vienna?

The Witness: Yes, I was occasionally informed as to what was happening in the streets of Vienna. I also knew that the Chancellery had been closed by the Nazis. I even knew more than that. I knew that a deputation of Nazi rebels had been admitted to the Chancellery; but I only knew later on that they had been admitted to the Chancellery by Seyss-Inquart, who was Minister of the Interior and had been given executive powers. I knew what was happening in the streets from reports.

The President: Did you not, as head of the State, have the feeling of yourself being in a serious position?

The Witness: To be sure.

The President: Did you have the feeling that you were still free in your decisions and acts?

The Witness: In a serious situation one is no longer free. It is coercion. Thus I undertook this reforming of the government under pressure from inside and outside. This pressure went so far as to include my person, as head of the State. In any case my own situation, that I was a prisoner of the mob, was quite clear. That was no longer the will of the authorities, but a dictatorship. The military ultimatum expired at 7.30 p.m. After this time limit, if this ultimatum was rejected, the German Army was to march in. But my firm attitude and refusal to accept the ultimatum was so successful that the Armed Forces delayed their entry until the following morning; from a military point of view they could do this easily, as already in the evening of 11.3.1938 the Austrian Armed Forces, in obedience to an Army Order, had withdrawn somewhat from the Inn-frontier in order to take up a secure position.

The President: Has the question of whether resistance could ever be carried out by our Armed Forces ever been looked into?

The Witness: This question was looked into; the little State of Austria has some 20,000 men in the Army, thus 10,000 to 12,000 men perhaps would be drawn up on the Western frontier; against them they had forces almost 20 times their strength, not forgetting the superiority of the German Air Force. I also invited the inspector of the Army, Infantry General Schilhawsky, to our discussions. Only with him did I discuss the question of whether we could offer resistance or not. He requested me to relieve him of the decision as to whether Austria could possibly be defended. In this connection he mentioned another General with whom I should discuss this matter. I should, however, prefer not to mention the name of this General.

The President: Was there ever any possibility of resisting?

The Witness: No. It was from the very beginning a lost cause. The question of resistance was considered. The Generals discussed it and it was realized to be hopeless from the beginning. As I therefore was completely abandoned both at home and abroad, I decided finally, in order to avoid useless shedding of blood and to save the existence and the life of the Austrian people in these critical hours, to appoint a National Socialist as Austrian Chancellor. At midnight I therefore appointed Dr. Seyss-Inquart, the former Minister of the Interior, as Austrian Chancellor. By this means I saved the life of my soldiers and also the life and existence of my homeland. Political reasons (not alone military reasons) forced me to capitulate. There was no other way out. I was informed how terribly the German Armed Forces were acting in accordance with Hitler's instructions. The discoveries made in Berlin show with what brutal words Hitler had given permission to his troops to invade the country. The lives of the civil population, above all of the working population of Vienna were in danger. Perhaps if I could have gained time and have entered into negotiations with the German Reich, perhaps I should then have succeeded in interesting the Western Powers in Austria's cause.

The President: Did you speak to Seyss-Inquart before his appointment as Chancellor?

The Witness: No, he was only summoned then; he did not come himself. I did not negotiate with him. Neither did I negotiate with Minister Glaise-Horstenau. I sent for Seyss-Inquart, after I had come to the realization above described. I even thought of the appointment of another head of the Government. But that was impossible. I therefore sent for Seyss-Inquart. That the opposition knew only too well that I was the only resister is shown by the fact that the next day (12.3.1938) during the morning, Himmler had arrived in Vienna from Berlin by air. His first demand of the new Austrian Chancellery was the dismissal of the President. This clearly shows that I was the sole and last resister in Austria.

The President: When the new Chancellor was designated in the person of Seyss-Inquart, did he inform you which Ministers he (Seyss-Inquart) had in view?

The Witness: Seyss-Inquart handed me no list of Ministers then. He told me at the time that he would have to leave for a short time in order to talk to his Party comrades. He compiled his list of Ministers only some time after his appointment as head of the Austrian Government. Actually a list of Ministers was compiled from among the National Socialists already admitted to the Chancellery. Thus a government revolution had already broken out before I had summoned the new head of the government. Names of Austrians, e. g., Prof. Menghin, etc., appeared on the list of Ministers. I said to myself that these men, who are Austrians, will yet endeavor by some means to place in some kind of favorable position and that Austria will perhaps remain a semi-independent State.

The President: When you summoned the Chancellor did he tell you what he intended to do? Did you ask him what steps he intended to take in the next few hours?

The Witness: No, I did not want to ask him, if I was compelled to appoint him head of the Austrian Government by force. I knew one thing, that the Nazis wanted an Anschluss with the German Reich in some form. Seyss-Inquart knew that I was opposed to and rejected this demand, so a mutual discussion of the matter was superfluous.

The President: When was the list of ministers presented to you?

The Witness: About midnight, after the appointment of Seyss-Inquart as head of the Austrian Government. The following names appeared on the list—Dr. Neumayer, Prof. Menghin, Reinthaler, Jury, Wolff, Fischbock and Hueber. I then ordered that the swearing-in of the Seyss-Inquart Government should take place on Saturday, 12 March 1938. At this swearing-in I gave a very short address. The substance of this address was as follows: I said, "My Lord Chancellor and Ministers, you will not require me to speak to you about the events of the last few days and wish for an explanation. I demand of you one thing only: you have been appointed by virtue of the Austrian constitution and must fulfill all rights and obligations for Austria according to the Austrian constitution." Seyss-Inquart has become the head of the Austrian State. The swearing-in of the newly formed Government was carried out according to the old Austrian form. All the ministers took an Austrian oath of allegiance—that is to say to an Austrian Government. This swearing-in took place about 10 a.m. on 12th March 1938.

The President: Was it immediately after this swearing-in ceremony or a little later that the accused came to you?

The Witness: It was later and not directly after the swearing-in. But as far as I can remember only a little time lay between. The accused thanked me for his reappointment as Finance Minister, which was not a customary procedure. I pointed out to the accused that it was Seyss-Inquart who had appointed him as Finance Minister and told him, that Seyss-Inquart had designated him as his colleague. Furthermore, I explained to the accused that I was thoroughly in disagreement with the whole affair and also intimated that in this situation I could no longer remain President.

On being questioned by the President the witness declared: It is possible, that I passed the remark that I could no longer remain President at the point of the sword. I also plainly told the accused that he naturally was not to assume that I was in agreement with the events of the previous night. The accused was rather astonished that, so to speak, I should announce my resignation to him and not wish to collaborate with the new system. He had to be prepared, therefore, for me not to be in agreement.

The Prosecuting Attorney: You have said that it was clear to you, when you appointed Seyss-Inquart as Head of the Government, that the Anschluss with the Reich would follow and nevertheless you allowed the Ministers to take the oath. Were you acting under compulsion? Why did you undertake the swearing-in?

The Witness: The swearing-in of every Cabinet named by me is the duty of the President; Seyss-Inquart was appointed as Austrian minister. He was Hitler's agent. There was always the possibility that, through him, Austria would remain a sovereign state or perhaps a semi-sovereign state like Bavaria. When Himmler was already in Vienna, Seyss-Inquart sent his State Secretary, Dr. Wimmer, to me and he explained to me how things stood. Germany had made the demand that I be deposed as President. Seyss-Inquart who also visited me on this subject, first talked round the matter by saying that it was extremely distasteful to him but that he was bound to comply with the order of the German Reich and he therefore urged it upon me to send in my resignation. My view of the resignation was as follows: Under Dollfuss, I repeatedly asked to be allowed to resign—naturally this was done in private without being announced publicly—since I could not tolerate that the head of the State was so to speak publicly held responsible at home and abroad for the Government and/or for any regents. I had had enough of it. However, at the time the foreign enemy presented me with these demands, I now more than ever felt it my duty to remain in office. I did remain and then, on 13.3.1938, when the law of reunion [Wiedervereinigungsgesetz] was submitted to me for my signature—that was about 5 in the afternoon—I refused to sign it. Seyss-Inquart came to my official residence about the matter, accompanied by Menghin, who was then Austrian Minister. I refused to sign this law of reunion and I refused for political reasons. My refusal was due not only to my fundamentally opposed opinions, but I refused also because, according to the Austrian constitution, I would be obliged to institute a general plebiscite about the "law"—which sacrificed the sovereignty of Austria—before it was signed, the signature merely having the significance of that of the State notary, that is to say, a certification that the law in question had come into existence formally and in accordance with the constitution. There was, however, no time left for such a plebiscite owing to Hitler's impulsive and strong intervention—indeed Hitler is alleged to have said: "I will have finished with the Austrian business in 3 days". Thereupon, the government cited Article 3 of the Federal constitution. Seyss-Inquart wanted to account for Himmler's already described demand by means of article 3 of the 1934 constitution. He agreed, however, when I said I was quite prepared, in consideration of

Austria's position as it then was and under article 77, par. 1 of the constitution, to surrender to him the functions of President for as long as I was prevented from carrying them out myself, but without myself resigning. As a result of my refusal to sign the Anschluss law, there was no documentary authentication. For I saw that documentary authentication was not given. Naturally, the Anschluss law had then to be published by other means, signed by Seyss-Inquart and all the Ministers. At that time, I drew up in my official residence a letter to the Chancellor (Seyss-Inquart) saying as I have already stated above that, by virtue of article 77, par. 1 of the constitution, I was surrendering to him the functions of President for as long as I was prevented from carrying them out myself. Minister Menghin was called in as a witness to this. The "Anschluss law" that was submitted to me was a draft. I did not have the original but was only given a copy. The ministerial council had previously decided that Seyss-Inquart must be the sole plenipotentiary.

The Prosecuting Attorney: You have told us that you appointed Seyss-Inquart head of the government under political pressure from at home and abroad. You knew what course the Seyss-Inquart Cabinet would take. Why did you not resign on 12.3.1936 when it was suggested to you? What was there still to save?

The Witness: I considered resignation as cowardly flight. It would have been cowardly to abandon my fatherland in that hour of need and not to seek any possibility of negotiation.

The Prosecuting Attorney: But that was quite hopeless. Austria's independence was buried by that time.

The Witness: That may be.

The Prosecuting Attorney: As head of the state, I would have resigned.

The Witness: No, I would have regarded that as cowardly.

The Prosecuting Attorney: In connection with the Berchtesgaden agreement, you stated that the Western powers showed themselves to be disinterested. What possibility of negotiation did you still have in mind on 12.3.1938?

The Witness: There were always possibilities. One had to have dealings with the German Reich to know what its demands actually were. And further, I wanted to gain time so that even the Western powers could realize what was happening; perhaps the Western Powers would then have intervened. It was more a question of gaining time, because I did not give up the hope that the Western Powers would perhaps still intervene.

The Prosecuting Attorney: Negotiations should have been made with the German Reich; instead of Dr. Schuschnigg, the National-Socialist Seyss-Inquart was the negotiating party on the Austrian side and you knew indeed what course Seyss-Inquart had set and in what direction Seyss-Inquart was heading. Seyss-Inquart, who was made head of the Austrian government by desire of the opposing side, could not follow a course which was against the wishes of Germany. In your place, I would have resigned. You should not have sworn in the National Socialist Government.

The President: Were you of the opinion that there was a possibility of negotiating with the German party even after Seyss-Inquart succeeded Dr. Schuschnigg?

The Witness: I was of the opinion that there was a possibility of negotiation with Germany.

The President: Did you still have Austria's independence in mind at that time?

The Witness: I thought that Austria might perhaps remain a semi-sovereign state. I also had good news from Bavaria. For there were opponents in the German Reich who were not in agreement with the tyrannical system of the National-Socialists. We had to bring up all these possibilities during the negotiations.

The Prosecuting Attorney: Little Austria?

The Witness: Yes, little Austria. Even Seyss-Inquart had to consult with his politicians at home; he couldn't act entirely on his own initiative.

The Prosecuting Attorney: As President, you were acquainted with the programme of the National-Socialists?

The Witness: Yes.

The Defence Counsel: There were indeed Austrians among the ministers in the Seyss-Inquart government. Did you not also know Dr. Neumayer to be a responsible Austrian official?

The Witness: I knew him to be a very useful and able Finance Minister, and in this, the political bias of Dr. Neumayer was of no interest to me. The person of primary importance for me was the Chancellor who chose his own officials. I saw Seyss-Inquart as an Austrian who must have known that Austria must remain a country and a people.

The Defence Counsel: Did you consider Dr. Neumayer a good Austrian and not as a National-Socialist?

The Witness: I did not think Dr. Neumayer was one of the radical Nazis. I did not know that he had any connection with national or National-Socialist circles. I knew Dr. Neumayer as an Austrian official.

When, after the ministers had been sworn in, you spoke to the accused and told him that you would not remain President for long under the pressure to which you were subjected, you said that the accused was somewhat astonished. Did you have the least idea that this accused had committed treason, that he might be a traitor?

The Witness: No.

The Defence Counsel: Mr. President, did you state the following at your interrogation before the examining judge: "As is well-known, Schuschnigg had handed me his resignation already on the afternoon of 11.3.1938—it was announced at 7 o'clock in the evening—but I had naturally entrusted him at once with the task of continuing the conduct of government affairs with a view to forming a new government. He and Dr. Guido Schmidt, his Foreign Minister, remained at the Chancellor's office throughout the evening and night of 11.3.1938 until after midnight, most of the time with me; they kept me continually informed about what was happening outside, also about the progress of the National-Socialist revolution in Vienna and in the provinces of the federation, [Bundeslandern] about the occupation of the most important nerve centres of public administration, about the hopeless answers to appeals for help made by the Austrian Foreign Office to Rome, Paris, London and other capitals. (Ludwig, the ambassador, had telephoned). Soon after, Vienna Radio was transmitting National-Socialist reports and, since 10 o'clock in the evening, the swastika flag had been flying from the roof of the Vienna office of Chief of Police on the Schottenring, while the crowd of National-Socialists assembled in front of the Chancellor's office grew denser and about 40 of them, said to be a deputation, were admitted to the closed Chancellor's office through the back door, and that by the Minister of the Interior, Dr. Seyss-Inquart. The guard detachment on watch must have looked on full of wrath; I learned of it only on the next day." Were you of the opinion that, from the moment Dr. Schuschnigg resigned from the office of Chancellor, the Austrian government still possessed some power, or had the power already been transferred then de facto to the National-Socialists?

The Witness: My statements before the examining judge are correct. At that time, the Schuschnigg government had, de facto, no powers whatsoever.

The Defence Counsel: You know that the accused still remained in the Seyss-Inquart Cabinet later on. Have you personally ever held this against him?

The Witness: No, on the contrary, I was glad that there were

Austrians of conviction in the Seyss-Inquart Government, who, in my opinion, had somehow taken office in Austria's interests.

The President: Did you or any member of your family approach the accused with any personal request at any subsequent time? Because you stated before the examining judge: "In early summer 1939, when my eldest son, Finance commissar (retired), was discharged from state service, and was endeavouring to find another post, the family advised him to apply to Dr. Neumayer, his former Minister, who might perhaps find him a job in the Vienna City Insurance Concern, of which he had become the director in the meanwhile. My son was indeed received by Dr. Neumayer but his request came to naught. At any rate, Dr. Neumayer's attitude was one of refusal."

The Defence Counsel states in this connection: The statement that Dr. Neumayer's attitude in this matter was one of refusal must have been based on incorrect records or on erroneous records.

The Witness states in this connection: In the year 1939, my oldest son, Dr. Wilhelm Miklas, who was in the Ministry of Finance, was dismissed from the state service by the Nazis. He then joined the army, spent 4 winters in the East and, at the beginning of the fifth winter, he was taken prisoner by the Russians and died of spotted fever in a prisoner-of-war camp North of Lemberg. That was the middle of October. He was the third victim of the war. Of his [or "my". Typing not clear] seven sons, who were all conscripted, three were killed, two are still prisoners and two returned home a few weeks ago.

I can no longer remember what I said before the examining judge with reference to my son. My eldest son made various attempts to gain a post but unfortunately in vain. As far as I know, he also applied to the accused. But this effort too was unsuccessful, he did not obtain the desired post.

The Witness Dr. Wolfgang Troll: Personal particulars in File No. 22 and adds: living in Vienna III., Neulinggasse 18, no relation of the defendant, after having been warned to tell the truth, and after formal taking of the oath, states: I have known the defendant since 1936. It must have been in November, at the time Dr. Neumayer entered the Schuschnigg Cabinet as Finance Minister.

The President: In what capacity did you make the acquaintance of the defendant?

The Witness: In my capacity as Recorder of the Cabinet Council. I was the Recorder at the Cabinet Council meetings. For ten or twelve years it was my task to make the arrangements for the Cabinet Council meetings and take the minutes.

The President: Do you still remember when the Cabinet Council sat, following the journey of Chancellor Dr. Schuschnigg to Berchtesgaden. The journey to Berchtesgaden was on 12.II.1938. The Cabinet Council meeting which followed it took place then about a few days later.

The Witness: I remember that.

The President: What information on the discussion with Hitler did the Chancellor at that time give the Ministers, and also to the accused who was present?

The Witness Dr. Troll: The Cabinet Council meeting must have been held on the 16.II.1938. At this meeting Dr. Schuschnigg said quite briefly that he had been to Obersalzberg, that the matter had not worked out at all well; but he did not give further details at the Cabinet Council meeting regarding what had happened at Obersalzberg.

The President: We want to ascertain what the defendant knows or could have known from this Cabinet Council meeting.

The Witness Dr. Troll: I also did not ascertain any further details. I was the Recorder. The Chancellor did not mention individual details. Dr. Schuschnigg did not state what demands Hitler made at Berchtesgaden at that time. I believe the Chancellor made no mention of this at the meeting.

The President: Do you remember whether the Chancellor said that Hitler had demanded that Seyss-Inquart should enter Dr. Schuschnigg's Government as Minister of the Interior?

The Witness: I believe I remember that. I do believe that the Chancellor said that.

The President: The Chancellor said that he was put under great pressure.

The Witness Dr. Troll: One could have got that impression.

The President: The next Cabinet Council meeting was with the newly formed Cabinet: Dr. Pilz, Dr. Taucher had already left and in their place was the new Cabinet with Seyss-Inquart as Minister of the Interior. That was on 21.II.1938. Could you tell us anything about this Cabinet Council meeting which took place between 21.II. and 11.III.1938?

The Witness Dr. Troll: On 11.III.1938 there was no Cabinet Council meeting. It must have been in the previous week, that is, in the period between the 3rd and 7th March 1938. So far as I know, at that time as well as on 21.II.1938 only technical matters were discussed at the meeting. What happened on the following day I no longer remember as the particulars regarding this were lost.

The President: Was it mentioned at these meetings how much freedom was to be given to the native National Socialists with regard to whether the wearing of the swastika was to be permitted or whether that was to be permitted only within certain limits or whether the German greeting might be used, etc.?

The Witness Dr. Troll: I cannot remember having heard anything at all about such matters. It was not customary to discuss political matters at the meetings. Political events were discussed beforehand, outside the meetings so that the Cabinet Council had only to carry out the formal passing of resolutions regarding pertinent matters.

The President: Do you know whether the defendant was called in to these discussions outside the Cabinet Council?

The Witness Dr. Troll: I don't know,—for those discussions usually took place at the Chancellor's place; I do not know who was invited to them.

The President: What do you remember about the events of 11.III.1938?

The Witness Dr. Troll: A Cabinet Council meeting had been fixed for midday on 11.III.1938. However, he never came to it. The events of that time took place in rapid succession. In the course of the afternoon, the Secretary of State Dr. Kepler, appeared. He wore a uniform, and I noted that at that time I did not know the uniforms. Discussions then took place between the Chancellor and Minister Seyss-Inquart in the office of the Chancellor in the course of the afternoon, towards evening. I do not know the purport of these discussions, as I was not present at these discussions. The conclusion of the discussion was that the Chancellor, Dr. Schuschnigg came out of his office and then made his well-known farewell speech on the radio, which he delivered at the microphone in the ante-room. That was between 7 and 8 o'clock in the evening. This was preceded by discussions between Dr. Schuschnigg and Minister Seyss-Inquart. I do not know whether Dr. Schuschnigg also had discussions with the President.

The President: Are you informed about the proceedings in the Office of the Chancellor after Dr. Schuschnigg's farewell speech?

The Witness Dr. Troll: After the Chancellor's farewell speech I still stayed on at the office until about 2 a.m. I can no longer remember whether at that time I saw the defendant. At that time the Government was being formed. I only saw the members of newly formed Cabinet again when they came out of the chambers of the President. I do not remember seeing Dr. Neumayer among the members of the Government, or seeing him at all at that time in the Chancellor's Office. I had nothing to do with the swearing-in of the new Government. I was busy at the Cabinet Council Meeting on Sunday, 13.III.1938. This took place at about 10 a.m. I do not know if it took place during the afternoon, but it may have done. From my experience of the Cabinet Council I definitely felt that I no longer wanted to have anything to do with it. I was presiding, [Presidialist] in the Chancellor's Office. I was a ministerial Councillor. I held the office of recorder. On 13.III.1938 this new Government held the first Cabinet meeting. I took the view that I no longer belonged to this Government. I just felt it. For me my activity also ended with the farewell speech of the Chancellor Dr. Schuschnigg. In this connection it is true that I was still a Government official. Because I felt that way, however, I declined to act further as recorder at this meeting on 13.3.1938. I had the feeling that my place was no longer there, that another person belonged there. I also asked that someone else be entrusted with this position, but received instructions from Secretary of State Wimmer that I still had to act as recorder and, therefore, complied with these instructions.

The President: What happened at this meeting?

The Witness Dr. Troll: I did not know what was the object of the Cabinet Meeting as it was an unprepared Cabinet Meeting. I did not at that time have to make any preparations. I then went into the Cabinet Council hall. The Government was assembled and I can still remember that the proceedings were rushed through. I hardly had the chance and the time to sit down. I had to take the minutes standing up. Seyss-Inquart said a few words at the beginning of the meeting which I can no longer remember. The whole matter must have lasted ten minutes at most. Seyss-Inquart read out the Anschluss Law, that Austria is a country of the German Reich and so on. To this no objection was raised. There was absolutely no debate at all. I have forgotten all that Seyss-Inquart said.

The President: I put it to you that the accused in his statement said the following: "The Cabinet Meeting was very short, the Anschluss Law has been accepted without objection, Seyss-Inquart first stated that as a result of the resignation of the Austrian President Miklas, the functions of President were transferred to him, and secondly Seyss-Inquart stated that he had a meeting at Linz on Saturday, the 12.3.1938, with Adolf Hitler, who ordered him, 'now, to-day, immediately' to pass the Anschluss Law which he was now reading."

The Witness Dr. Troll states in this connection: I believe that must be right. I do not know whether the word "order" was used.

The President: Did Seyss-Inquart say that the functions of Austrian President had been transferred to him?

The Witness Dr. Troll: I do not exactly know but I consider it likely. Then the Anschluss Law was accepted without objection. The agenda was thereupon finished. After this meeting of the Cabinet Council all the members went away.

The President: What was the next step necessary? Was the law made public?

The Witness Dr. Troll: I gave the Anschluss Law documentary authentication and the law was then entered into the law gazette of the province [Land] of Austria, of that time, by the constitution service [Verfassungsdienst].

The President: Are you not aware that two men went to the residence of the former President for the purpose of getting the signature for this law?

The Witness Dr. Troll: I don't know, I have not heard anything about it.

The President: You also cannot tell us at what time this meeting of the Cabinet Council took place on 13.3.1938?

The Witness Dr. Troll: No. This meeting could even have taken place in the afternoon.

The President: You made the acquaintance of the accused at the commencement of his period of office as Minister in November 1936. You perhaps also learned, and in your capacity as recorder, for what reason or in what capacity the defendant was appointed Finance Minister in Dr. Schuschnigg's Cabinet?

The Witness Dr. Troll: The retirement of the Finance Minister Dr. Draxler took place at that time. I do not know why Dr. Neumayer was then appointed as Finance Minister in the Schuschnigg Cabinet. I do not know whether political reasons were decisive here or purely technical reasons. It was certainly said that the accused supported the nationalist cause or had some such background.

The President: At the meetings of the Cabinet Council in November 1936 until the end, did the defendant in any way take up a party attitude or did he see things strictly from the point of view of his department?

The Witness Dr. Troll: I cannot recall any instance when the defendant would have been prosecuted for his political views during the meetings of the Cabinet Council.

The President: Do you also know anything about this ultimatum which was handed over on 11.3.1938 in the office of the Chancellor?

The Witness Dr. Troll: I heard rumors of it.

The Prosecuting Attorney: The defendant has stated in his defense that Seyss-Inquart declared at the opening of the meeting of the Cabinet Council on 13.3.1938 that the Anschluss Law must be passed otherwise he would bring war on Austria. Can you recall any such words by Seyss-Inquart?

The Witness Dr. Troll: I recall that some kind of statements were made by the Chancellor Seyss-Inquart at the time, but I do not know any details.

The Defence Counsel: submits to the witness his statements before the Examining Judge.

The Witness Dr. Troll states in this connection: My statements before the Examining Judge in File No. 22 are correct. I still stand by these statements.

The Witness Otto Huber: Personal particulars in S 107, no relation to the defendant,—after having been warned to tell the truth, and duly sworn, states:

The President: When did you get to know the defendant?

The Witness Huber: At the opening of the Vienna Fair which took place twice a year. I got to know him then in his capacity as Financial Advisor to the Vienna municipality. I was then in the company of the President. Later I got to know him in November 1936 as Finance Minister in the Schuschnigg Cabinet.

The President: Was anything at all known about him personally, in what direction his views tended and so on?

The Witness Huber: It was known that the defendant was a nationalist. He was looked upon as a special Minister. The reasons for his appointment as Finance Minister are not known to me.

The President: Could you briefly describe to us the events of 11.3.1938 at the office of the Chancellor, as far as you can remember them?

The Witness Huber: Up to the afternoon the President had not heard anything from the "Right". At that time no ultimatum had yet been presented. At about 2 o'clock in the afternoon I drove home with President Miklas. At that time we still did not know anything about the events. At about 3.30 p.m. we returned to the Chancellor's office. The Chancellor Dr. Schuschnigg then announced to the President that he was going to resign. A long discussion then took place between President Miklas and Chancellor Schuschnigg at which I was not present. Then the ultimatum was presented—I have forgotten who by. There appeared I believe two youngish men from Salzburg, one of them must have been *Dr. Reiner;* he said he had spoken to Goering on the telephone about the ultimatum and that Goering had told him that the ultimatum must be kept, nothing would happen to Austria if the ultimatum were kept. These people wanted to speak to President Miklas; I did not let them, but referred them to Minister Glaise-Horstenau.

The President: Why did you refer these people to Minister Glaise-Horstenau?

The Witness Huber: The National Socialists were then going in and out of the Chancellor's office, and it was already evident that they were representatives of the opposition. Then Secretary of State Dr. Kepler handed over the ultimatum. I was not present, however, at the handing over of this ultimatum. President Miklas rejected the ultimatum. Discussion was then entered into as to whether a different Chancellor and not Seyss-Inquart could be installed in the Government. They had Dr. Ender in mind for this purpose. Dr. Ender, however, declined. Then there appeared Lieutenant General Muff. President Miklas told him, too, of the rejection of the ultimatum. In this connection I remarked that Lieutenant General Muff had spoken very strongly to Dr. Guido Schmidt who was present and had blamed him for being largely responsible in the whole matter. Upon this Guido Schmidt left.

At 12 noon Secretaries were changed.

The President:	Secretary:
[illegible signature]	Trumler e.h.

The above copy is a true extract from an Austrian court document in the proceedings against the defendant Dr. Rudolf Neumayer, containing the testimony of the witness Wilhelm Miklas.

[stamp]

People's Court Vienna
Vienna VIII (64) Landesgrichtsstr.11.
Section V g 1 11.II. 1946.

[Stamp]

Prezzi. [?]

People's Court Vienna in the building of the "Landes"

Penal Court.

JAHRBUCH DER HITLER JUGEND, 1938

[Page 134]

The dead of the great war did not die in vain, if the youth of the new Germany will preserve the reverence for the sacrifice made by them, and if it remains imbued by the glowing desire to live readily, strongly and with faith in the future for that aim, for which those once died.

Blomberg

[Pages 148–150]

GENERAL FIELD MARSHAL VON BLOMBERG

The work, "Education for War of the German Youth" by Obergebietsfuehrer Dr. Helmuth Stellrecht, contains a slogan of General Field Marshal von Blomberg's, in which the following passage is quoted: "The fighting spirit is the highest virtue of a soldier. It requires toughness and determination. This passage from 'Duties of the Soldier' constitutes the direction and the aim of the education of the German youth."

It is an old soldier's experience that the number of troops and equipment, and their mastery of weapons do not solely guarantee success, but that the last decision depends on the spirit of the troops. Therefore it is a strong and unyielding demand, which the General Field Marshal already puts to the young body of men marching in the formations of the Hitler Youth, that they should conform to a soldierly spirit and educate themselves in toughness and determination. The fighting spirit is the highest virtue of a soldier. Preliminary conditions for courage are not only racial and spiritual, but also educational. In a recently published work on war psychology, it is stated that in the era of total war, spiritual power of resistance will not only come in next to courage but will perhaps replace it. Nevertheless, in the field of soldierly education, education to courageousness could and should be retained, only it has to be supplemented by education to spiritual power of resistance in and outside the troops. This in itself is a right perception; however, actually it means only something which has already been carried out through the direction of the education which was demanded by the General Field Marshal and through the fanatical faith of the German youth.

The General Marshal knew when he made his demands to the youth of Adolf Hitler, that this youth possesses the strongest powers of spiritual resistance in its fanatical belief in its leader and his ideology. But just because of this, he could demand from this youth that it should make the highest virtue of a soldier, namely courage, and those qualities upon which it is based, namely toughness towards one's self and the determination to act, the aim of the education. And from age group to age group, a new German youth will fulfill these demands in an increasingly clear and concise manner.

When a year ago General Field Marshal von Blomberg, in the Berlin Sports Palast, consecrated the colors of the Wehrmacht Section of the German Labor Front and imposed his demands as a duty upon the workers and employees of the Wehrmacht, he declared, "He who demands should also give." The man who as General Field Marshal of the Fuehrer demands a certain education from the youth has also to give something to it. As Supreme Commander of the Wehrmacht, General Field Marshal von Blomberg has given a unique, exemplary, soldierly body of men to the troops of the Army, Navy and Air Force under his command, to the German people and the German youth. Also during the years of the Weimar Republic he instilled the German youth with the desire to become soldiers. But it was difficult for them to understand the silent service and renunciation of a professional soldier of the Reichswehr. Yes, between the troops and youth there was an estrangement. However, as Minister of Defense and as present Minister of War, he was able to incorporate the Reichswehr into the new Reich as the sole and reliable bearer of arms; this was done in an exemplary manner living up to the sense of obligation, to the imperishable soldier of the World War and to the education for achievement, as well as to the Socialist spirit of the Reich of Adolf Hitler. Thus, an essential prerequisite was created in so far as the Fuehrer and the German people could have that confidence in the Reichswehr which was required for such an immense task, namely that of the creation of a people's army by general compulsory conscription. This task could be accomplished only by a man who is a soldier in the best and largest sense of the word and who, furthermore, is a political soldier. Such was the exemplary path pursued by General Field Marshal von Blomberg in his soldierly career: at 13 years cadet, at 19 years lieutenant, at 50 years general colonel, and at 58 general field marshal. During the World War he was a soldier in the front lines in the best sense of the word—decorated for having been wounded and the distinction pour le merite which he is wearing as proof of that. Since the end of the World War he can be always found in the Army, when plans for a new beginning had to be shaped. At present General Field Marshal von Blomberg has always blazed the trail towards maximum military achievements which was and is his absolute aim, be it as Chief of Staff of the Brigade Doeberitz, the training school of the later Reichswehr of the Fifth Division in Stuttgart, to which post he was appointed by the General of the Infantry Walter

Reinhard, who unfortunately died too soon; be it as Chief of the Training Section of the Reich Ministry of Defense and later as Chief of the Truppenamt, which is Chief of the General Staff. In 1933 when, on proposition of the Reich Chancellor Adolf Hitler, the Reich President von Hindenberg appointed General Lieutenant von Blomberg, who was at that time the Commander in Wehrkreis I, Koenigsburg, to the post of Reich Minister of Defense, Adolf Hitler's confidence was thus expressed, which was justified to the last during the following four years of untiring efforts for the new Wehrmacht. It was a wonderful gesture, acclaimed by the whole people and the youth, when on 30 January 1937 the Fuehrer awarded the Golden Party Emblem to the Supreme Commander of the Army and the Navy, who was as well the First Assistant of the Supreme Commander of the Air Force. Thus, it is unequivocally expressed that the Supreme Commander of the Wehrmacht is not only the first soldier, but also the first political soldier of Adolf Hitler in the closest sense. The German youth looks with reverence, gratefulness and confidence to the First General Field Marshal of the Third Reich.

PARTIAL TRANSLATION OF DOCUMENT 3758–PS

Extract from Diary of Minister of Justice

Page 641. Para. 3.

Secretary of State and Chief of the Reich Chancellery 25.5, submitting a copy of a reply dated 14.5. from the Youth Leader, in connection with the point of view expressed by the Finance Minister on 6.5. as regards the drafting of a Bill on the Youth of the Reich, Schirach estimates the following costs for the administration and nine Leadership Schools [Fuehrerschulen] which are to be established.

	Million Reichsmarks					
	1936	1937	1938	1939	1940	1941
Staff of the Youth Leader	0.62	0.83	0.97	1.05	1.12	1.12
25 Gau Youth Leaders	1.49	3.64	4.53	5.00	5.34	5.34
1050 Kreis Youth Leaders	2.46	8.13	11.55	14.79	18.04	17.89
9 Leadership Schools [Fuehrerschulen]	1.76	2.08	2.11	2.12	2.12	2.12
Hutment and Tent Camps	....	....	16.93	32.84	48.62	48.20
1938: 35 Camps						
1939: 70 Camps						
1940: 105 Camps						
Shooting instruction for the Youth of the Reich	....	0.44	0.86	1.27	1.30	1.30
Single Outlay for initial outfitting, clothing, etc., new buildings, reconversion and additinal buildng	1.98	22.15	19.23	18.95	0.02	....
	8.31	37.27	56.18	76.02	76.56	75.97

According to this, the main outlay will be for the training of the Youth in hut and tent camps and not for administration. Finance Minister wishes to include in the account an expense allowance of 50 Reichsmarks per month per Zugfuehrer [Platoon Leader] for 70,000 Zugfuehrers who are active in an honorary capacity. He thinks that a payment must also be made for this activity. Baldur von Schirach does not believe that overhead expenses will arise, but if they did they would be, at most 5 Reichsmarks per month, moreover not 70.000 but only 23.000 Zugfuehrer, and that payment for this activity was not necessary.

TRANSLATION OF DOCUMENT 3763–PS

[Extract from "Blut und Ehre" Hitler Youth Songs. Pages 13-15.
From the peasants' war, 16th century

1. We are the black swarms of Geyer, hey, ho!
And want to fight tyrants, hey, ho.
Spear in front, at them,
Put the red cock on to the cloister roof [Set the cloister roof on fire.]
2. We will lament to Him on high, Kyrieleis,
That we want kill the priest, Kyrieleis,
Spear before, etc.
3. When Adam dug and Eve spun, Kyrieleis,
Where was then the nobleman? Kyrieleis.
Spear before, etc.
4. Now castle, abbot and monastry are of importance, hey, ho!
Nothing but the Holy Scriptures are of importance to us, hey, ho!
Spear before, etc.
5. The same law, that is what we want, hey, ho!
From the prince to the peasant, hey, ho!
Spear before, etc.
6. And if country and Emperor do not listen to us, hey, ho!
We hold the trial ourselves, hey, ho!
Spear before, etc.
7. Florian Geyer leads us, despite outlawry and excommunication.
He carries the sandal symbol on flag, helmet and armour.
Spear before, etc.
8. At Weinsperg fire and stench were caused, hey, ho!
Some were even put to death!
Spear before, etc.

9. The nobleman's little daughter, hey, ho!
   We sent her to hell, hey, ho!
   Spear before, etc.
10. Beaten, we return home, hey, ho!
   Our grandchildren will fight it out better, hey, ho!
   Spear before, etc.

[Pages 117–118.]

Words and music by Altendorf

1. Still softly through the forests of Silesia rises to-day our song which soon will ring in jubilation through meadow and field, and even if our singing and ringing does not please grumblers or the devil, to us, young Hitler soldiers, hail, the world belongs to us. The world.

2. The fading stars still shimmer, the satchels are already packed, we are already dreaming of the distant places and hum softly in measure: And if our singing and ringing, etc.

3. And everywhere we travel, with flags in our hand, many a "heil" rings through the German land to greet our troops. And if our singing and ringing, etc.

4. And when we march through village and town, recognised everywhere, the girls wave to and greet the Hitler youths in Silesia. And if our singing and ringing, etc.

5. And if the bells give warning of storm for justice and bread, then our flags also lead us on to victory and death. And if our victory and death also do not please grumblers and the devil, to us Hitler soldiers, hail, to us belongs the world.

TRANSLATION OF DOCUMENT 3764–PS

[Extract from "Uns geht die Sonne nicht unter" Hitler Youth Songs. Page 5.]

Hans Otto Borgmann.

Forward, Forward

Verse 1. Forward, forward, the fanfares sound,
Forward, forward, youth never sees any danger.
Germany you will shine, even if we go under.
Forward, forward, the fanfares sound.
Forward, forward, youth never sees any danger.
However high our goal, youth will attain it.

Chorus. Our flag flies before us, we march into the future man for man,
We march for Hitler through night and through want,
With the flag of youth for freedom and bread.
Our flag flies before us. Our flag is the new era.
And the flag leads us into eternity.
The flag is more than death.
Verse 2. Youth, youth, we are the future soldiers,
Youth, youth, pillars of future deeds.
Yes, everything which opposes us will fall before our fists,
Youth, youth, pillars of future deeds,
Youth, youth, we are the soldiers of the future,
Fuehrer, we belong to you, we comrades to you.

Text Baldur von Schirach
for the UFA motion picture "The Hitler Boy Quex."

[Page 19.]

Can You See the Dawn in the East?

A. Pardun.

1. Can you see the dawn in the East? A sigh of freedom and sun.
We will keep together, whether living or dead, come what may.
Why do you still doubt, stop all this quarrelling, German blood still flows in our veins. People to Arms.
2. For many years the people was enslaved and misguided.
Traitors and Jews had the upper hand, they demanded the sacrifice of legions.
Born of our nation a Fuehrer arose, gave Germany faith and hope again. People to Arms.
3. Germans awake and get into line, we march towards victory.
Labour shall be free, we will be free, and valiantly and defiantly daring. We clench our fists we will not be faint hearted, there is no going back, we will risk it.
People to arms.
4. Young and old—man for man cluster round the Swastika banner.
Whether a townsman, a farmer or a worker, they will wield the sword and hammer for Hitler, for Freedom, for work and bread. Germany awake, death to Jewry, People to arms.

A. Pardun.

[Page 24.]

Unfurl the Blood-Soaked Banners

Verse 1. Unfurl the blood-soaked banners, let the fire leap up to heaven,
He is a coward who still thinks of himself, when the Homeland is
Menaced all around by enemies.
We will never give way before the enemy, we Hitler's fifth company.

Verse 2. Where cowardice and treason prevail, our fighting songs ring out, we march forward to fresh endeavours, the last defenders of Germany's freedom. We are ready to die at all times for Germany's greatness.

Verse 3. And if at some future date the day of vengeance approaches, and the Fuehrer calls us to war, then we will carry the Swastika out of misery and disgrace from victory to victory. We march at dawn towards death for Hitler's flag.

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[Page 25.]

Drums Sound Throughout the Land

George Blumensaat.

Verse 1. Drums sound throughout the Land, the drums of the Hitler Youth,
The flag waves in our hand, the flag is our Fatherland,
Our enemies must go to the scaffold, the enemy must go to the scaffold.

Chorus:
Hitler Youth marches, Hitler Youth marches.

Verse 2. We firmly believe in our destiny,
Heil Adolf Hitler,
And though we are given the death blow,
We will nevertheless make Germany great,
We comrades, we comrades. Chorus.

Verse 3. As Hitler Youth the best of the nation were killed,
We are the last levy and carry blood red banners
For Germany's greatest son, for Germany's greatest son.

Chorus:

Baldur von Schirach.

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[Page 113.]

(Sung first of all in the Hitler Youth)

We March Through the Streets.

We march through the streets with firm and steadfast step,
And above us the flag flutters,
Tum, tum, tum, tiddly, um, tum, tum.
In front of us the drummer boy, he beats his drum well,
He knows nothing yet of love, he doesn't know what separation does.
Tum, tum, tum, tiddly, um, tum, tum.
He drummed many a one into bloody battle and into his grave,
And nevertheless everybody loves the happy drummer-boy.
Tum, tum, tum, tiddly, um, tum, tum.
Perhaps I am the one who tomorrow must die in a pool of blood
The drummer-boy does not know what love and dying are.
Tum, tum, tum, tiddly, um, tum, tum.

With kind permission of the publishers Ludwig Voggenreiter, Potsdam, taken from Hans Baumann "Our Little Drummer Boy."

[Page 26.]

The Decaying Bones are Trembling

Words and music by Hans Baumann.

Verse 1. The decaying bones of the world are trembling,
Because of the great war,
We have rid ourselves of the terror,
It was a great victory for us.

Chorus: We will march on, even if everything falls into ruins,
For to-day Germany belongs to us, and to-morrow the whole world.

Verse 2. And if the whole world lies in ruins,
What the devil has that to do with us,
We will build it up again.

Chorus:

Verse 3. And what if the old-folks grumble,
Then let them fume and scream,
And if all the world opposes,
We will nevertheless become the victor.

Chorus:

First in "Goetz": "We March Into the Distance," Guenther Wolff. Publishers, Plauen i.V. 1931.

MILITARY TRAINING OF THE GERMAN YOUTH

Helmut Stellrecht, 1938

INTRODUCTION

Obergebietsfuehrer Dr. Helmut Stellrecht, my collaborator for many years, has accomplished a task of extreme educational value in this book by recording with great clearness and emphasis the ideas derived from his practical work in the field of toughening up the youth and by submitting them to all agencies which are interested in education. The special value of this book for our people consists in the very fact that its author is not a so-called "theorizing pedagogue" but an educational man of action. Standing actually in the midst of the great educational community of the Hitler Youth, he lets us partake of the rich treasure of his amazingly many sided experiences.

Helmut Stellrecht is a political soldier and not a man who sits at his writing table. May his book receive the recognition which it deserves and thus contribute to the realization of our common educational ideas.

Baldur von Schirach

THERE HAS TO BE MILITARY TRAINING

> "The racial State will have to see to it that there will be a generation which by a suitable education will be ready for the final and ultimate decision on this globe. The nation which enters first on this course will be the victorious one."
>
> Adolf Hitler, Mein Kampf

Germany as yet has not undertaken anything decisive for the military training of her youth. On the other hand her neighbors are already organizing their youth for years and even train them in the use of weapons. After having regained the freedom to arm, the way is open also for us. But it is different from the one the great military powers are going. No weapon of war shall and will be handed over to any German boy. He has but three other great aims to attain: The acquisition of the greatest virtues in man; the maximum results in physical training; and the complete knowledge of the terrain.

The education for this purpose is one of the great tasks of the Reich. Shape is thus given to the German future, because the people and the state of tomorrow will be like the youth of today.

The German youth, whose life was so full of bitterness and disgrace, steps to the side of the youth of the neighboring countries in a respectful spirit for every nationhood but also conscious of his equal rights and with the desire to play his part for the fatherland.

The aim and method of this education, which is designed to close the gap between school and military service, are shown in this book.

Berlin, Fall 1937 The author.

TRANSLATION OF DOCUMENT 3769–PS

YEARBOOK OF THE HITLER YOUTH, 1939

[Page 226]

Every Hitler youth a marksman.

Shooting practice in the Hitler Youth.

[Page 227]

Stellrecht: "To handle a rifle should be just as natural for everybody as to handle a pen."

"In order that every group should have training armament, the Wehrmacht presented to the Hitler Jugend in 1937 10,000 KK rifles."

There is no shortage of shooting ranges. Since the beginning of organized shooting practice in autumn 1936, 10,000 shooting ranges have acquired the green shooting certificate during weekend and special practice and every year this figure increases by some thousands.

COPY OF DOCUMENT 3800–PS

Testimony of DR. HERIBERT VON STREMPEL, at Oberursel, Germany, 14, 15 and 16 February 1946, by Captain Sam Harris, OUSCC. Also present: Dr. Jan Charmatz and Miss Joan Wakefield, Reporter.

14 February 1946

QUESTIONS BY CAPTAIN SAM HARRIS TO DR. VON STREMPEL:

Q. Dr. Strempel, I wish you to understand that you are under no compulsion to testify. The statements you make are made of your own free will. I make no promise of reward to you nor do I threaten you in any way. I shall ask you a number of questions which I believe fall within your peculiar knowledge. The only requirement that I impose is that such questions as you choose to answer, you answer truthfully and to the point. Do you understand all of this?

A. I do.

Q. Please outline briefly your activity from the date you entered the foreign service in Germany until you came to the United States in 1938.

A. I entered the diplomatic service in 1923 as a technical assistant in the Foreign Office. I passed my diplomatic examinations in 1926 and became Attache in Paris. From 1928-34 I was in Chile. I was Second Secretary there from 1928-32, and in 1932 I was elevated to Charge d'Affaires.

In 1934 I was recalled to Berlin because I was not a Party member. I should like to point out that I have never been a member of the Nazi Party, and for that reason I was not looked upon with favor by the Nazis. In 1934 there was an opening in the Embassy in Washington for Second Secretary, but the Nazi Party did not approve this assignment—apparently because they didn't trust me. Instead, I was assigned to the Press and Political Departments of the Foreign Office in Berlin. In the Press Department, I was in charge of Spanish, Portuguese, English, American, and Western European press; and in the Political Department, I was in charge of South American political affairs.

Q. What were your precise functions in those positions?

A. In the Press Department I had to read the press of the above-mentioned foreign countries and to report to Minister Aschmann about it. Furthermore, especially when I was in charge of the English and American press, I had to cultivate close relations with the correspondents stationed in Berlin. In the Political Department, I had to keep up with affairs in South America and to report to my superior, Geheimrat Freytag, about them.

Q. What did your superiors do with the information you passed on to them?

A. I merely reported to my chiefs in order to enlighten the understanding of the development of public opinion and political affairs.

Q. During the period you were in the Press Department, do you recall any references in the American press to the activities of Fritz Kuhn and the German American Bund?

A. Yes, but I took note of it only when it looked particularly interesting, and then reported it to my chief.

Q. When did it strike you as particularly interesting?

A. When it appeared that his activities were straining good relations between Germany and America.

Q. When was that?

A. The official policy of the Foreign Office was to avoid any political frictions with the U.S.A. On that point we always had great trouble with the Auslands Organization. We represented the point of view that the Auslands Organization should not have any organizations in the United States because they could be used and claimed for propaganda activities.

Q. Was the German-American Bund supported by the Auslands Organization?

A. I am positive that it had relations with the foreign section of the Party. For example I am sure they advised the Bund how to draw up their political organization, how, where, and when to hold mass meetings and how to handle their propaganda and like matters. I do not know of my own knowledge if they received financial support.

Q. From whom did you hear this?

A. There was constant talk in the Foreign Office about it.

Q. Was it regarded as a matter of common knowledge in the Foreign Office that the German American Bund was supported by the foreign section of the Party?

A. Yes. I know that I heard often about it.

Q. In the Foreign Office or from persons in the foreign section of the Party?

A. No. Not from the foreign section of the Party. I was not on good terms with anyone in that office. They disliked me.

Q. Well, then it must have been in the Foreign Office that you heard about this matter?

A. Yes—certainly so.

Q. Do you recall any instances during the period you were in the Foreign Office in Berlin in which the activities of Kuhn were commented upon by German diplomatic representatives in the United States?

A. Yes. Ambassador Dieckoff was in Germany during the meeting of the Reichsparteitag in 1938, and said that all relations that may have existed between diplomatic and consular services in the United States with Kuhn should be severed.

Q. Your last answer indicates that there were, in fact, relations between Kuhn and the German diplomatic officials. What was the precise nature of these relations?

A. No. I'm sorry, Captain Harris, I didn't make myself clear. The relationship of Kuhn was only with the foreign section of the Party or their representatives, who were also members of the German Consular Service in the U.S.A.

Q. Then you know that to be a fact?

A. Yes.

Q. If there were no relations between Kuhn and any German diplomatic officials, why should Dieckoff have recommended a halt to such relations? It's silly to stop something that isn't going on, isn't it?

A. Let me explain it this way. German foreign policy was emerging on two parallel roads—the Foreign Office and the foreign section of the Party. As long as they remained parallel, the Foreign Office did not take special action. But where their policies started to cross, the Foreign Office considered it necessary to do something. Our policy was not to interfere with affairs in America which might have caused a breach of diplomatic relations. The activities of Mr. Kuhn and the foreign section of the Party were considered a burden on German-American relations, so Mr. Dieckoff recommended that they be stopped.

Q. What action was taken?

A. I remember an order was issued at the end of 1938 that it was prohibited for the members of the Embassy and the consulates to continue possible former relations or connections with the Bund. This was after Minister Thomsen had delivered a solemn pledge to the State Department to that effect.

Q. Again, doesn't your last reply indicate that members of the Embassy and consulates had actually been in contact with the Bund?

A. I was merely reciting the nature of the order. I don't know about any relations between the diplomatic officials and the Bund. I do know for a fact that the Embassy did not have any relations with the Bund after my arrival in Washington. Mr. Thomsen and I were much opposed to any dealing with the Bund.

Q. Did the foreign section of the Party continue to support the Bund after the order you mentioned before was issued?

A. I am sure that Mr. Draeger, Consul in New York City, and representative of the foreign section of the Party, did continue to have relations with Bund officials.

Q. What's the basis of that belief?

A. Out of their general attitude and their ways and methods to cultivate contacts abroad. I am convinced that they had contacts with the German-American Bund and probably with the noisy representatives of the isolationist groups.

Q. These relationships seem to have violated the order you mentioned before. Did you report these violations to the Foreign Office?

A. Yes, several times. In reports I drafted for Thomsen when I was in the Embassy, we drew the attention of Berlin that this relationship to the Bund was very detrimental.

Q. In order to make the record clear—you are now speaking of the time you were 1st Secretary in the German Embassy in Washington, after Thomsen had issued the order you previously recited?

A. Yes.

Q. Please give us the substance of these reports to Berlin, as well as you can recall them.

A. Well, we stated that the continued support of the Bund by the Foreign Section of the Party was harming diplomatic relations with the United States.

Q. I don't want there to be any ambiguity in the record on this point. When you reported that this support of the Bund was harmful to good relations, you must have known that such support was, in fact, being given. Now, my question is: What was the source of your information?

A. I don't recall that I was told about it by anyone specifically. That was my impression. I had the impression that Draeger continued to support the Bund against orders. I made a number of trips to New York, and that was the impression I formed after talks to Draeger, German newspaper men, especially Schaeffer and other acquaintances.

Q. Did Mr. Thomsen share your impression?

A. He must have. He signed the reports I prepared and took responsibility for them.

Q. You mentioned before that you also believed that the Foreign Section of the Nazi Party was in contact with various vociferous isolationists. Do you recall the names of any such persons?

A. No.

Q. What action was taken in Berlin to halt the activities of which you complained?

A. I know of no action.

Q. And despite your continued reports to Berlin that the activities of the Foreign Section of the Nazi Party in the United States were harmful to good relations, no action was taken?

A. No action was taken, to my knowledge.

Q. I should like, if I may, to revert briefly to your activities in the Foreign Office in Berlin during 1934-38. Apart from the Bund, did you notice any organizations or persons in the United States that threatened good relations between Germany and the United States.

A. No. I can't recall any.

Q. When did you go to the German Embassy in the United States?

A. On Christmas Eve, 1938.

Q. You went as 1st Secretary, didn't you?

A. Yes.

Q. This represented a promotion didn't it?

A. Yes, but it had been delayed since 1932. They couldn't hold it off any longer.

Q. That's a matter of opinion. I was of the impression that the Nazis never did anything they didn't want to do. What instructions did you receive from the Foreign Office prior to the assumption of your new duties?

A. Nothing in particular. I saw Dieckoff, who said that it was possible to go to the United States even though it was a period of extreme tension.

Q. But didn't you receive any instructions from your superiors in the Foreign Office concerning your actions in the United States?

A. I was merely instructed to report to Mr. Thomsen at the Embassy in Washington.

Q. What functions did Thomsen assign to you?

A. He put me in charge of cultural relations.

Q. What did that involve?

A. German universities would invite American professors to come over for visits, and it was my task to pass on the invitation. Political tension was already strong and little room left for cultivating cultural relations.

Q. That doesn't sound like a full time job. Did you ever hear of the German-American Fellowship Forum?

A. Yes.

Q. What was your relation to that organization?

A. None.

D. Did you supply any fund to that organization?

A. No.

Q. Did the Embassy supply any?

A. While I was in charge—no.

Q. Before that?

A. Yes, I think it was financed by a representative of the Propaganda Ministry, Gienanth.

Q. Was v. Gienanth attached to the Embassy?

A. Yes. He was the representative of the Propaganda Ministry at the Embassy.

Q. He was also a member of the SS, wasn't he?

A. Yes. I believe he was also a member of the Security Police, but I'm not absolutely sure.

Q. Did v. Gienanth have special funds available to him for propaganda purposes?

A. I believe so.

Q. As you know, Fritz Auhagen was head of the German American Fellowship Forum. Did you give him funds at any time?

A. No. Auhagen came from the Propaganda Ministry and his behavior in the United States was stupid. He was not to be trusted with a political mission. He was a very unreliable man.

Q. Did Gienanth give any money to Auhagen?

A. I believe so.

Q. Don't you know for certain? You were Gienanth's superior, weren't you?

A. Actually no. Gienanth was working for the Propaganda Ministry and I suspected him to be a member of the S D. I didn't want to have anything to do with him that might have antagonized him. He acted quite independent of me.

Q. Do you or do you not know that Gienanth gave money to Auhagen?

A. I am quite certain that he did, or Draeger. Auhagen was sent out by the Propaganda Ministry in Berlin to deliver propaganda speeches.

Q. Have you ever heard of a person named Laura Ingalls?

A. Yes.

Q. In what connection?

A. Gienanth pestered me to see her. He had a special liking for her. Thought she would be a good propagandist.

Q. Did you give her any funds for propaganda or any other purpose?

A. No.

Q. Did Gienanth?

A. I don't know.

Q. Well, there's little point in discussing this matter. She admitted over 2 years ago that she received some money from von Gienanth for delivering lectures throughout the United States.

A. I didn't know that.

Q. Did you have any funds at your disposal for propaganda purposes?

A. In July or August 1939, Blankenhorn left the Embassy—he was in charge of the political and press departments—and I was his successor.

Q. Did the Embassy have a political or press fund?

A. Yes, a press fund.

Q. How much was in the fund when you took it over?

A. I don't remember the exact amount.

Q. Approximately how much?

A. I don't recall. But I think in October 1939, we received for the "Kriegskostensonderfonds" [War Funds] $50,000 a year.

Q. What were these funds used for?

A. Mainly to finance the propaganda of the German Library of Information and Flanders Hall.

(Off the record discussion)

Q. I want you to describe briefly the origin, nature, functions, sponsors, and chief employees of the German Library of Information.

A. Yes. The German Library of Information was in 1937 founded by von Gienanth as representative of the Propaganda Ministry on order from Berlin. I was not in the United States at that time. After his trip to Germany in 1938/1939, Mr. Viereck was engaged as public relations counsellor of the Library.

Q. Is this George Sylvester Viereck?

A. Yes, the well known author.

Q. What was Viereck's salary as public relations counsellor?

A. At the beginning $500. Later more.

Q. Did the German Library of Information remain under the control of the Propaganda Ministry?

A. No. It was somewhat confused. From 1939 on, the Library was controlled and financed by both the Ministry of Propaganda and the Department of Information in the Foreign Office. You see, in 1939, Hitler issued an order that from that time on, foreign propaganda would be handled by the Foreign Office.

Q. That would seem to indicate that the Foreign Office superseded the Propaganda Ministry in the Library of Information?

A. Well, not completely. The Library was under the control of Dr. Hans Borchers, Consul General of New York, and under the immediate direction of Professor Mathias Schmitz. Both of these people were part of the Foreign Office. Actually, Schmitz was paid a salary by both the Foreign Office and the Propaganda Ministry, but accepted only the salary from the Foreign Office.

Q. Where did the Propaganda Ministry come in?

A. Gienanth had chosen Schmitz in 1940, and had also appointed many of the lesser employees. Naturally, as a representative of the Propaganda Ministry, he selected only such people as were agreeable to it.

Q. Did the Propaganda Ministry issue instructions to the German Library of Information?

A. I believe so.

Q. Have you ever seen any such instructions?

A. Yes, they related to expanding their activities and issue more books.

Q. What was your relation to the German Library of Information?

A. Maybe I can best explain it by an example. The Foreign Office would request us to edit the American edition of some books, and then we asked the Library of Information how much it would cost to do that. The Library of Information would tell us, and then we would cable back to Berlin for approval of the amount. After approval, I would pay over the money to the Library of Information to bring out the book.

Q. The Library of Information also published a magazine entitled "Facts in Review" didn't it?

A. Yes.

Q. What kind of a magazine was it?

A. Its propagandistic aim was to criticize British policy and to counteract British propaganda.

Q. How often did it come out?

A. Since 1940, regularly ever week.

Q. That is, until the outbreak of the war against the United States?

A. Yes.

Q. How large was its circulation?

A. About 40,000 copies were issued every week, which were read by approximately 200,000 Americans every week, I believe.

Q. Did you exercise any supervision over the "Facts in Review"?

A. I had a kind of political supervision over it.

Q. How much money did you advance to the German Library of Information?

A. As far as I can estimate, the Library received about $600,000 from the Embassy from 1939-1941.

Q. That's considerably more than you had in your "Kriegskostensonderfonds", isn't it?

A. Yes. It worked this way, Captain Harris. When we received an order from Berlin to pay the Library of Information from the Kriegskostensonderfonds a certain amount more than was available in that fund, the amount was especially authorized.

Q. How did you get these extra funds?

A. The Embassy had at its disposal very large sums of dollars which came to it from dollar legacies for German heirs.

Q. Do you mean that when a person residing in Germany inherited money from a relative or someone else in the United States, the Embassy would collect the dollar amounts and put it in the Kriegskostensonderfonds?

A. Yes, thats it. The heirs in Germany would receive the equivalent in German marks from the Reichsbank.

Q. Then, if I understand it, the Kriegskostensonderfonds consisted of sums greatly in excess of the $50,000 a year mentioned earlier?

A. Yes. I'm sorry I didn't make that clearer before. The $50,000 a year was merely the press fund, which also came out of the larger "Kriegskostensonderfonds".

Q. It's my fault; I didn't completely understand your previous answer. What was the total amount in the "Kriegskostensonderfonds"?

A. I don't know, but it was very large.

Q. Did the Consulates have separate "Kriegskostensonderfonds" of their own, apart from the one in the Embassy?

A. Yes, but I never knew the amounts in them. The consular officials didn't discuss that matter with me. They tried to minimize the funds at their disposal, because they came to the Embassy for funds from time to time.

Q. But you know for a fact that they did have "Kriegskostensonderfonds" of their own?

A. Yes.

Q. It is now after 1730 which is your dinner time. We shall resume late tomorrow afternoon, if that is agreeable to you.

A. Yes, sir.

15 February 1946

Continuation of interrogation of Dr. von Strempel by Capt. Sam Harris.

Reporter: Miss Joan Wakefield.

Present: Mr. Robert M. W. Kempner of OUSCC.

Dr. Strempel: May I make a preliminary statement?

Capt. Harris: Yes, certainly.

Dr. Strempel: When I was in the United States, especially in 1940-41, I observed two political trends: First, the wish to crush Germany entirely with the help of American troops and to occupy Germany, because that was the only way too to abolish the Nazi regime. Second, the other political trend was the policy, short of war, called the Arsenal of Democracy, to deliver war materials to England and Russia.

This second tendency of American foreign policy was that the Nazis and the Soviets should, through a war of many years, exhaust each other. After a certain time naturally the German people would want to get rid of Hitler, e.g. 20 July 1944. The United States, under the second policy would have stepped in as a decisive international factor, without entering the war in a military sense. This policy would have had the following advantage at the end of the war. You would see in the international field a very exhausted Soviet Russia, an exhausted Germany, a feeble England and a very powerful United States. And it would have saved the United States many soldiers that were used in the European Theater. The policy of myself was to avoid the first type of policy, because I thought as a German it would save my country from total defeat. Certainly many more would be killed when the United States would join the war, so I thought it was the smaller evil and it would weaken the Bolshevistic ideology too. So I think it would have been of benefit to my own country and to the benefit of the United States too.

Q. If I understand you correctly, you favored what you called the "second policy", which involved keeping the United States out of war while it was delivering war materials to England and Russia. Did you favor that aspect of the policy which involved sending materials to England and Russia?

A. I was not in a position to be much concerned with that point. It was up to the U-boats to take care of any materials that were sent to England and Russia.

Q. Am I right in assuming, therefore, that your aim was identical with that of the Nazi Government in Berlin— in other words, to keep the United States out of the war—but your reasons were different?

A. Yes.

Q. Did you actually believe in 1940-41 that the war would develop into a stalemate? Hitler was having one overwhelming success after another on the Battlefield at that time.

A. Yes, and especially after the war started with Russia I was convinced there would be a long drawn out war, in which the German people would want to get rid of Hitler.

Q. Did you think that Hitler intended to wage war on the United States?

A. *No.* For instance the reports in which we drew the attention of Berlin to avoid incidents and provocations were not rebuffed. We advised against submarines coming too close to American waters, and we had the impression that competent quarters in Berlin agreed with us.

Q. There are certain documents in our possession in Nurnberg—in fact, they have already been introduced in evidence—which show that Hitler did, in fact, intend to wage war upon the United States. Weren't you advised of that fact?

A. No—definitely not. Let me point out that the policy of the Embassy as well as of the Foreign Office was to avoid anything that might harm the political relations between Berlin and Washington. As it was, to my great dismay, relations were deteriorating rapidly; the diplomatic thread was becoming thinner and thinner.

Q. I'd now like to return to the role which Viereck played in this studied program, which the Nazi government had worked out to keep the United States out of the war. You mentioned yesterday that Viereck was appointed public relations counsellor of the German Library of Information.

A. Yes.

Q. Did he also have any connection with the Flanders Hall enterprise which you mentioned yesterday?

A. Yes.

Q. Please explain to us the precise details of that connection.

A. I believe I have already mentioned that during his sojourn in Berlin in 1938/39, where Viereck was chosen for these anti-British propagandistic activities because he was considered an experienced American author who could manage efficiently and rather independently this anti-British propaganda without interfering in the internal affairs of the United States.

Q. Where did Flanders Hall fit into the picture?

A. Flanders Hall was run by two brothers named Hauck, under Viereck's direction. I don't know how the arrangements were worked out in details because I was too occupied with my main tasks to draft political reports and to cultivate the relations with the American forces.

Q. Exactly what did Flanders Hall do?

A. The manuscripts of certain books came from the Foreign Office in Berlin in the diplomatic pouch or otherwise, and then went to the German Library of Information. Viereck selected from those manuscripts those which he thought might criticize and unmask British propaganda and egoistic British foreign policy, and which could easily be sold in the United States.

Q. Then what happened?

A. Viereck would publish these books at Flanders Hall. If he thought a financial risk was involved, he would contact me, and say that the costs would amount to $5,000 or sometimes even to $10,000.

Q. What did you do?

A. I drafted a report for the Chief of Mission, which was cabled to Berlin and after having received approval, Viereck would receive the money. He always received lump sums of 5 or 10 thousand dollars.

Q. Do you recall the names of the books that you and the Foreign Office approved, and whose publication by Flanders Hall you directly financed?

A. I remember "Lothian versus Lothian", "English Policy in India", "English Policy in Ireland", "English Policy in Palestine", "Britain's 100 families" by the German author, G. Wirsing. The manuscripts of these books had come originally from Berlin, and were then published by Viereck after I had advanced funds to him.

Q. Did the publication of each of these books entail a loss?

A. I don't know. I don't believe so. Books about Ireland sold easily. Lothian versus Lothian was a big success. The book on India sold well. Some didn't sell so well.

Q. If no loss was sustained in the publication of any book, did Viereck return the money you had given him?

A. No. He kept it.

Q. Did he also keep all profits on books he distributed through Flanders Hall?

A. Yes.

Q. How much did you give to Viereck to carry out his propaganda activities?

A. Between 70 and 120,000 dollars during the period 1939 to 1941.

Q. There is a considerable spread between $70,000 and $120,000. Can't you be more exact?

A. No. I'm sorry. I always gave Viereck round sums of $5,000, $10,000 or $15,000. I never kept an exact accounting of these funds.

Q. Didn't the Foreign Office insist upon some sort of an accounting? My studies of the Reichsbank and Ministry of Economics files indicate that Germany was rather short of foreign exchange, and that they sought to control it as much as possible.

A. Even after my return to Berlin 1942 I was never asked any questions by officials in Berlin about what had been done with the funds of the Kriegskostensonderfonds. Viereck had been chosen in Berlin as their propaganda representative, and I felt no need to account for any money given to him.

Q. Did the manuscripts of all books published by Flanders Hall originate in Germany?

A. No. It also distributed various books by American authors which criticized British propaganda and tried to keep the United States out of the war. I remember a book by Porter Sargent; a book by Peterson called "Propaganda for War"; the book "England expects Every American to do his duty". I believe that Flanders Hall also published one or two books by Congressman Stephan Day about British propaganda.

Q. Do you know anything about the negotiations which led to the publication of these books?

A. No.

Q. Did Viereck help write any of these books?

A. I don't know. He may have helped Congressman Day. I seem to remember Viereck's saying he had written down some highlights for Congressman Day.

Q. What was Viereck's connection with Porter Sargent?

A. Viereck told me that he financed the book of Porter Sargent.

Q. How?

A. I suppose that he bought for Flanders Hall a certain number of copies, so that thereby was rumored the financial risk for Mr. Sargent.

Q. Did Viereck ever mention the name of Senator Lundeen to you?

A. Yes. He told me that he was an old friend of his and that when the President of the German Red Cross came to the United States Viereck claimed to have arranged that Senator Lundeen pronounced the after-dinner welcome speech.

Q. Did Viereck ever mention that he had written some of Senator Lundeen's speeches?

A. Yes. He told me on a number of occasions that he had written down high lights to be used by Senator Lundeen in his speeches.

Q. Did Viereck state to you that he had written speeches for any other Senators or Congressmen, or contribute ideas for their speeches?

A. I am not sure. I don't remember all the details. Viereck tried to give me the impression that he had good relations with a number of senators and congressmen—Lundeen, Hamilton Fish, Senator Holt, and Stephen Day—and maybe more, but I do not remember all the names.

Q. To your knowledge, did Viereck ever advance any funds to any congressman or senator for any purpose?

A. No. I do not think Viereck would do that. He was too precautious.

Q. Did you?

A. Absolutely not.

Q. Did Viereck ever mention William Griffin to you?

A. Was he the editor or publisher of the New York Inquirer?

Q. Yes.

A. Several times he mentioned Griffin.

Q. In what connection?

A. Griffin several times took up advertising in his daily newspaper in which he dealt with the Flanders Hall publications to spread them. Griffin was much against England. I believe he had sued Churchill. He hated England.

Q. Do you mean Viereck inserted advertisements in the New York Inquirer?

A. Yes, but Viereck, or rather Flanders Hall under his direction, also advertised in the New York Times, New York Herald Tribune, Daily Mirror, and other papers.

Q. Did Viereck pay a larger sum for his advertisements in the New York Inquirer than in other papers?

A. Not a higher rate, but bigger advertisements. Viereck bought say half a page, and Griffin would not likely receive such a huge advertisement from another single person.

Q. Why did Viereck place such large advertisements with Griffin?

A. Griffin helped Viereck distribute his books. The other newspapers did not do that. Viereck and Griffin were working—how do you say it—hand in glove.

Q. What else besides advertise in the New York Inquirer did Viereck do for Griffin?

A. Besides these advertisements, I think it was in the New York Inquirer that Viereck organized a contest about foreign policy, and one of the requirements was that the contestants should have studied the books published by Flanders Hall.

Q. What was the prize?

A. Speculating—about $500. Maybe more.

Q. Who made these funds available?

A. Viereck. He turned over these funds to Griffin to be used in the contest.

Q. Who told you about this?

A. Viereck.

Q. In what other way, if any, did Viereck help out Griffin?

A. Griffin was Irish and had Irish friends; and so I think that many copies of the book about British Atrocities in Ireland were handed over to Griffin by Viereck, and he sold them to his Irish friends at meetings which he helped to organize.

Q. Were these books given to Griffin by Viereck free of charge?

A. I believe so.

Q. And Griffin thereafter sold them?

A. Yes.

Q. What happened to the proceeds of these sales?

A. My understanding was that they were kept by Griffin.

Q. Did Viereck give Griffin other Flanders Hall books in addition to the book concerning British Atrocities in Ireland?

A. I think so.

Q. Have you ever spoken to Griffin about these things?

A. No. My information came from Viereck.

Q. Do you know Laurence Dennis?

A. Yes.

Q. When did you first meet him?

A. I met Laurence Dennis in the period 1940/41 and I think I met him, as far as I remember, in one of the South American Legations which I visited frequently—either the Argentine, Chilian, or Cuban Embassy. I think the reason why Mr. Dennis was present is that he had been in the American diplomatic service and I think he served in one of those countries. We had conversations about his opinion on the political state of affairs.

Q. Was he publishing his Weekly Foreign Letter at that time?

A. If he already did so at that time or later, I do not know.

But later I received the "Weekly Foreign Letter" in which he wrote about domestic and international politics as well as economic affairs.

Q. Did he send you this copy free of charge or did you subscribe?

A. I do not remember.

Q. When was your next visit?

A. I do not recall definitely. I think I have seen him several times, but not often.

Q. Did he ever indicate to you that he was in need of funds?

A. If he mentioned it or if other people mentioned it to me that he needed funds, I do not remember.

Q. But you do recall that you were advised by someone that he was in need of funds?

A. Yes, I knew that he was not doing too well.

Q. Did you ever give him any funds?

A. No, not directly as far as I remember.

Q. Have you ever heard of his book "The Dynamics of War and Revolution"?

A. Yes, I received a copy of this Dennis book and I glanced through it. It seemed like an interesting book.

Q. Did you know that 1,500 copies of this book were distributed free of charge to the colleges and universities throughout the United States?

A. I did not know that.

Q. Did you advance funds to him for that purpose?

A. No, I do not think so, because that book would not have fit in the line of books, that the Embassy sponsored.

Q. Did you ever discuss a scheme to publish European editions of Dennis' book?

A. As far as I remember, Dennis was approached with the plan that European editions of his book should be issued and it was thought that this was a practical way to give him indirect financial help and to publicize his personality.

Q. What is the source of your information?

A. Either through Dennis or another source, I had heard that Berlin had such a plan. Now, it could have been that it was mentioned in an instruction or communication.

Q. Who would know about that?

A. Dennis. Or there were quite a number of Nazi agencies that occupied themselves with propaganda in the United States.

Q. What were those Nazi agencies?

A. The German Railway Information Service, the German-American Chamber of Commerce, Westermann Book Store, and the V.D.A. They may sometime have suggested to Berlin—why don't you sponsor Dennis' book.

Q. We shall return to these agencies at a later time. At the moment I want to get a complete statement of the facts concerning Dennis. If I understand you correctly, you knew that there was a plan to publish European issues of Dennis' book, but you are not certain whether you heard it from Dennis, the Foreign Office, or a Nazi agency in the United States?

A. That is right. I have a definite recollection that there was a plan to bring out European editions of his book, and that the plan was sponsored by Berlin. But I do not remember all the details.

Q. Were European editions of this book ever published?

A. I don't know, for sure, but I do not think so.

Q. Did Viereck discuss Dennis with you at any time?

A. Yes, several times.

Q. In what connection?

A. Berlin insisted that, America being a country of business affairs of great importance and their leaders being politically influential we should publish magazines which would deal with international economic problems. This order was passed on as usual to Viereck who started to organize such a magazine, either as a weekly or a fortnightly. As Dennis had had experience in this type of work because he had published the Weekly Foreign Letter or similar publications, it was considered that he should be the one who should organize or write for such a magazine.

Q. What was the period that these plans were being laid?

A. In 1941.

Q. Who in Berlin issued these instructions?

A. Normally, propagandistic orders were signed by Mr. Martin Luther, Under Secretary of State, Foreign Office, in charge of the Department of Information.

Q. Did you ever speak to Dennis about this project?

A. Yes.

Q. What was the substance of the conversation or conversations?

A. Dennis' opinion was that it is very important to explain to leaders of business and finance the economical consequences of the second world war and to commence regularly on international events in order to demonstrate where the real economical interests of the United States were at stake. So I had conversations with Dennis about the type of readers of his foreign letter. The significance of such a letter is that it is not like a daily newspaper that anyone could buy or read. Such a type of publication is only available for those who are substantially interested in international, economic and political affairs.

Q. Who told Dennis about the suggestion from Berlin?

A. I suppose that Viereck directly or through his literary agency had approached him too, as Viereck knew Berlin's great interest to bring out an economical weekly or magazine.

Q. Was Dennis' name mentioned by you in your communications with Luther of the Foreign Office concerning the economic periodical?

A. The Embassy reported several times about the Weekly Foreign Letter.

Q. What did you report?

A. That it contained interesting observations and information which sometimes could be used for propaganda purposes too. To show Berlin what should be most interesting for businessmen in the United States.

Q. Was the plan for an economic publication along the lines ordered by Berlin carried out?

A. I had several conversations with Viereck about such a project and I think I even advanced funds to him.

Q. How much?

A. As usual lump sums between $10,000 and maybe $15,000.

Q. In what denominations?

A. I do not remember the particular denominations, but payments were always issued in all kind of denominations between 5 dollar bills up to 1,000 dollar bills.

Q. Was it your understanding that Viereck would transmit all or a part of these funds to Dennis in order to bring out this new periodical?

A. Viereck was authorized by me to transmit these funds to Dennis, or anybody else he saw fit for this publication. In his dispatches to Germany, Viereck spoke very highly of Dennis being a very able economist and writer.

Q. Did Viereck transmit any funds to Dennis.

A. I believe so.

Q. How much?

A. I do not know. The ultimate costs of this magazine had not been established. It would have cost a lot of money to give it a wide distribution. (Difficulties with the printers' union, etc.)

Q. Did Viereck tell you how much he had given to Dennis?

A. No. Viereck did not discuss details of his propagandistic activities with me and was always vague about financial matters. He said everything is working out fine; it has cost money already.

Q. What did you understand this to mean?

A. My impression was that Viereck, or the literary agency which Viereck used as an intermediary, had advanced money to Dennis to launch this periodical. Viereck knew I had no objection against Dennis.

Q. Did Dennis ever mention to you that he had received funds from Viereck?

A. I do not think so.

Q. Was the magazine ever published?

A. No.

Q. Why not?

A. There were too many difficulties in the way.

Q. Wasn't the real reason that Dennis' "Weekly Foreign Letter" admirably suited the plans and purposes of the Foreign Office; so that a new magazine was not considered necessary?

A. No, Berlin wanted to have launched a much bigger project.

Q. Didn't you discuss this matter with Viereck?

A. Yes, we did discuss the possibility of Dennis' "Weekly Foreign Letter" meeting Berlin's requirements; but Berlin wanted a bigger magazine to be issued.

Q. You mentioned a short while ago that Viereck had a literary agency in New York. What was its name?

A. As I have stated already I do not remember the name, only the purpose.

Q. What was the function of the agency?

A. To win the cooperation of American authors.

Q. Whom did Viereck contact through this literary agency?

A. In addition to Laurence Dennis, several other American authors and for this economical project I believe also Roscoe Drummond.

Q. Who was he?

A. An author on economic subjects.

Q. Did Viereck advance any funds to him?

A. I don't know, but it is quite possible.

Q. Have you ever heard of Mrs. Elizabeth Dilling of Chicago?

A. I'm not sure. Did she publish a book "The Red Network"?

Q. That's right.

A. I think she was one of the persons in touch with Viereck. He mentioned her as being interested in distributing Flanders Hall books.

Q. Did she pay for the books she got from Flanders Hall?

A. I believe so.

Q. Did you ever advance any funds to her?

A. No.

Q. Did Viereck?

A. I don't know. I doubt it.

Q. Did you know Prescott Dennett?

A. Yes, unfortunately I met him. I read in the newspapers the scandal about Dennett's handling of speeches of senators and congressmen. I remember I told Viereck that Dennett had once swindled me out of money. He came to the Embassy and sold me a news clipping service. He said each clipping would cost only a cent. They were not only useless cuttings, but the costs ran into several hundred dollars a week. He tried to sue the Embassy and I had to hire a lawyer to get rid of him. So when I read about him, I told Viereck that after my experience, he was unreliable.

Q. What had been Viereck's relationship to Dennett before that time?

A. I don't know. I was doubtful if he had something to do with him.

Q. Why, then, did you go to the trouble of telling Viereck to have nothing to do with Dennett?

A. I had the feeling, "there is a rotten egg", and I advised Viereck to take his hands off this man.

Q. Did Viereck indicate that he had had dealings with Dennett?

A. He did not deny it. He left it open. If he had not had relations with Dennett, he would have denied it more emphatically.

Q. Did you know Col. Emerson?

A. Yes, he had worked for the Embassy as a newspaper man shortly before World War I, and he came regularly to the Embassy to receive a pension, as he had worked for the Embassy before the First World War. He was now an old man and had no means to support him. As far as I can remember he may have received about $500 every three months.

Q. Did you have anything to do with this so-called pension?

A. It was paid out of the press fund. We proposed Berlin that we should pay him a final large sum to stop these regular payments. Berlin approved.

Q. Did you know that he wrote articles for the German-American Bund paper, the "Weckruf"?

A. No, I did not. I would not approve of that.

Q. Did you know a Cleveland lawyer named Frank Birch?

A. The lawyer who got arrested?

Q. Yes, did you authorize payment of funds to him?

A. No, but I think that the German Consul General in Cleveland, Kapp, when he received additional funds from the Embassy for distributing Flanders Hall books he advanced money to him.

Q. What was Birch to do in return for the payments to him?

A. I don't know exactly but I think Kapp wanted to use Birch to distribute Flanders Hall publications.

Q. Did Kapp request funds from you for all of his propaganda activities?

A. During one of the consular meetings in Washington he asked that his propaganda funds should be increased. I told Thomsen that Kapp was a reliable and experienced career official and that I could see no objection to turn down his request that he should have this press fund increased.

Q. Did Kapp speak to you about Father Coughlin?

A. I think so. But I do not believe that he cultivated relations with him. I was very much against the Embassy having any relation with Father Coughlin, because such relations would have been to smear him in order to destroy his integrity. I believed he would be more effective to be left alone.

Q. Was Father Coughlin mentioned in any communications you received from Berlin?

A. I recall that Berlin may have asked about the political importance of Father Coughlin, his radio audience and the like.

Q. What else?

A. I believe that the Pope banned Father Coughlin, and Berlin asked what would be our suggestion to lift that ban. We replied that the German Embassy in the United States could do nothing about that.

Q. Why were the Berlin officials interested in lifting the ban?

A. Because he was such a strong isolationist.

Q. With whom in Berlin were you in contact about this?

A. I believe Weizaecker of the Political Department of the Foreign Office.

Q. It is now 1740, so I believe we had better adjourn, so you can have your dinner.

16 February 1946

Continuation of Interrogation of Dr. von Strempel by Captain Sam Harris. Reporter: Miss Joan Wakefield

Q. Can you think of any phase of Viereck's activities we have not covered?

A. No.

Q. Now, Dr. Strempel, I want to discuss with you another enterprise. What was your connection, if any, with the magazine Scribners Commentator?

A. I remember that I was informed that two young but well experienced publishers—I believe around the middle of 1941—wanted to organize a magazine of the type of Reader's Digest, to be managed and financed as well by German and American capital.

Q. What were the names of these men?

A. Their names seem to have slipped my memory, because I spoke to them only once. Perhaps you can help me?

Q. Stewart and Eggleston?

A. Yes, Yes.

Q. Go on.

A. As Berlin had given, on several occasions, orders to bring out such a magazine, either the German Consul at Chicago or at Cleveland showed themselves interested in their proposals. Their idea too was to have a mixture of political, economic, and general topics in the magazine.

Q. Were the articles in the magazine to have any particular slant?

A. They were to explain that an actual military participation in the war by the United States would be detrimental to the United States.

Q. Did they ask you for funds?

A. Yes.

Q. Did you give any to them?

A. Yes, between 10 to 15 thousand dollars.

Q. Did you personally hand the money to them?

A. Yes.

Q. Where?

A. I think in New York.

Q. In what denominations?

A. I don't recall.

Q. Did you hand the money to them on the basis of your single conversation with them? That seems a little strange, doesn't it?

A. They came to me either through Baer or Kapp, with a recommendation. Baer was German Consul General in Chicago, and Kapp, Consul in Cleveland. Before their meeting with me, Stewart and Eggleston had had conversations with Baer or Kapp. Their negotiations had already reached an advanced stage. The main purpose of their visit was to have contact with the Embassy too and to get funds to prepare a dummy of the magazine. They said that they could show the dummy to other possible promoters and get more backing.

Q. What happened after you advanced the 10 or 15 thousand dollars to them?

A. I had no further contact with them.

Q. Didn't you undertake to see that the money had been spent for the purposes represented to you?

A. No. I did not see Stewart or Eggleston after this meeting because apparently their efforts were not successful.

Q. Well, did Kapp or Baer maintain contact with them?

A. I assume so.

Q. Don't you think that you were a little lax in the way you handled your government's funds? According to your story, you never seemed to have paid much attention to what happened to the money you disseminated for propaganda.

A. The Foreign Office knew that we were not able to bother about the details of the execution of the different projects and that we could not control if one or the other project caused financial losses. Therefore, the overwhelming amount was spent by the Library of Information for their periodical "Facts in Review".

Q. Did you know that in the Scribners Commentator which Stewart and Eggleston published with the funds you supplied, they re-published cartoons and articles from the German-American Bund's newspaper, "Weckruff"?

A. No. I would have opposed that. I thought the political line of the Weckruff was detrimental to German-American relations. May I point out that the above-mentioned funds were not to be spent for Scribners Commentator, but for a new magazine. As far as I remember, the two mentioned publishers had lost their position, which they may have had with that or another magazine, so that therefore they looked for a new opportunity.

Q. What steps, if any, were taken by the German government to spread propaganda on the West coast of the United States?

A. I had nothing to do with that part of the U.S.A. Mr Hubner was in charge of propaganda activities of the Consul General in San Francisco.

Q Is that the same Hubner that subsequently went to Washington?

A. Yes. He was appointed as Propaganda Attache at the German Embassy in Washington by Ribbentrop. He arrived in Washington at the end of 1939 to relieve me, so that I could concentrate on my main duties. He stayed only a short time as the State Department asked his leaving the United States. It was not a great loss, because his intellectual capacities and his experience abroad would not have been sufficient for a job of this kind. His ideas about propaganda would have been useful only for colorful detective stories or movies.

Q. As I understand it, Hubner was Ribbentrop's propaganda representative, whereas Gienanth represented the Propaganda Ministry.

A. Yes.

Q. What did you mean by "detective story propaganda"?

A. He said: "Don't you think it is a good idea to be in touch, through many agents, with the isolationists, Fascists or Nazi groups in U.S.A., and to support them?" I tried to bring the conversation on a higher level, because I thought that was foolish.

Q. Did he mention the names of any agents who were in his pay?

A. No.

Q. Were any efforts made by the German government or any of its representatives to produce any pro-Nazi films in Hollywood?

A. The Embassy was approached by a producer. He had TB, that was the reason why he started to stay in California. He was interested in bringing out a film to show the real horrors of war. As I do not remember his name I want to describe him as well as I can. He was a close friend of a German film actress, who presented him to the Embassy.

Q. What was this man's name?

A. I don't remember, as I mentioned already.

Q. Was this man of German extraction?

A. No, I do not think so.

Q. Did you advance any funds to him?

A. No, his project did not appear well founded. I believe he was a member of the Knickerbocker Club in New York.

Q. Did he do any radio work?

A. No.

Q. Do you know of any other attempts to produce a pro-Nazi film?

A. No.

Q. Do you know of any plans to distribute pro-Nazi films?

A. No.

Q. Have you ever heard of a man named Ferenz in Los Angeles?

A. No.

Q. Did you know a man named Winrod?

A. I did not know him. I was asked this before by Mr. Rhetts. I heard about him; he was a preacher, if I remember well.

Q. In what connection did you hear about him?

A. That he wanted to organize speakers.

Q. Did you hear anything further?

A. No.

Q. Did you participate in any way in Winrod's plans to organize speakers?

A. No.

Q. Did you advance any funds to him?

A. Personally not.

Q. To your knowledge, did anyone connected with the German government advance any funds to him?

A. If so, it might have been done through the Consulate General at San Francisco, but I don't remember to have heard about it.

Q. Did he request any funds from you?

A. No.

Q. Did you, or any representative of the German government, give money to any of Winrod's representatives?

A. Not to my knowledge.

Q. Have you ever heard of Edmondson?

A. I was asked this before also, but I do not think I met him. The Edmondson letter, I think I have seen that. If it was anti-semitic, I am sure Edmondson did not receive funds from me, because I had a very clear line against propaganda for Weltanschauung, because it did not fit in the line of the Embassy propaganda.

Q. Have you ever heard of Boake Carter?

A. Yes, he was a radio broadcaster, wasn't he?

Q. What contact, if any, did you have with him?

A. Personally, I had none.

Q. Did any member of the German government, to your knowledge, have contact with Carter?

A. Borchers, Consul General in New York, or his younger assistant, Hirschfeld, may have told me that they had relations with Carter.

Q. What does that mean?

A. Possibly that Carter was interested to receive information about German policies.

Q. We are not interested in speculation here. Precisely what did Borchers or Hirschfeld say to you?

A. I don't remember.

Q. Did you advance any funds to Carter?

A. No.

Q. Did you give any funds to Borchers or Hirschfeld to give to Carter?

A. No.

Q. Did Borchers or Hirschfeld give any money to Carter?

A. They would not discuss with me the detailed use of their funds.

Q. Have you ever heard of George Deatherage?

A. Yes—he was the head of the Knights of the White Camelia, I am told. But I never met Deatherage and he got no funds from me, directly or indirectly.

Q. To your knowledge, did Deatherage receive money or support from any other representative of the German government?

A. I don't know. I wouldn't be surprised if Gienanth had supported him, with money too, because he may have known him.

Q. But you don't know for sure?

A. No.

Q. How much money did Gienanth have at his disposal?

A. He posed as if he had none, but I had the impression that he must have had some funds. Sometimes I imagined that he would draw out of the press fund, on Thomsen's approval. He would come to Thomsen and ask for money. He would probably say "I cannot convince Strempel, he is against it." If he could convince Thomsen, he might have given sometimes money to Gienanth, but only insignificant amounts.

Q. Did you support the Winona Press in any way?

A. Yes.

Q. How?

A. When I took over the Press Department, I found a note in the files that every three months, I think it was, transfer of a small amount was to be made to the Winona Press in Chicago, through the Consulate General in Chicago.

Q. What was published by the Winona Press?

A. A small weekly or daily, in both English and German. I do not remember details because I was not personally interested in the paper.

Q. Did you have any contact with William Dudley Pelley?

A. No. He was head of the Silver Shirts and very anti-Semitic. I was opposed against all contacts with that type of propagandists.

Q. Did he ever visit the Embassy?

A. I heard that he had been in the Embassy once—I think in 1939 or 1940. I suggested to Thomsen that it was unwise to receive Pelley in the Embassy.

Q. Whom did he visit?

A. Probably Gienanth.

Q. Did Gienanth give any money to Pelley?

A. Maybe. I don't know. His case is like Deatherage. I wouldn't be surprised.

Q. Let me revert, for a moment, to Viereck's activity. What type of an audience did Viereck intend to reach with his publications?

A. Everybody interested in foreign policy, especially in English propaganda for war.

Q. Including members of the armed forces of the United States?

A. No, we were against distributing propaganda to the Army or Navy. For example, General von Boetticher of the Embassy had received small booklets from Germany. He was ordered to distribute them amongst American officers. He received them from Berlin. He showed me the booklets, and said "Well I have this order now to distribute this booklet, what do you think"? I suggested not to distribute them. "The Embassy receives many foolish orders from Berlin, but there are ways to turn them down".

Q. What did von Boetticher do?

A. The booklets were destroyed.

Q. Do you recall any further instances in which German authorities in Berlin had instructed anyone in the Embassy to distribute materials to the armed forces of the United States?

A. No.

Q. Did Viereck ever show you a copy of the V-card?

A. Yes, I think he did.

Q. What was the purpose of the card?

A. I remember it was a postcard. Viereck said it would be used to convince people not to send forces abroad.

Q. Did you approve the distribution of the card?

A. It was not up to me to decide on that. Personally I thought that such cheap type of propaganda would not have been effective.

Q. But you knew that Viereck nevertheless authorized its distribution, didn't you?

A. No, I did not.

Q. Did you or anyone connected with the German government support James Smythe in any way?

A. I have been asked about him by Mr. Rhetts. This morning I had a walk with Mr. Schmitz, former manager of the Library of Information, and he said that Smythe once came into his office to collect money, and he threw him out. Smythe was head of the Protestant War Veterans, I understand. Schmitz believed that Borchers gave some money to Smythe. Schmitz would know more about this.

Q. Did you know Paul Scheffer?

A. Very well. He was ousted by Goebbels as editor in chief of the Berliner Tageblatt while I was in Berlin, and we were afraid in the Press Department of the Foreign Office, especially Minister Aschmann, that he probably would run into trouble, maybe even be put into a concentration camp; and so we tried to find a position for him. We managed that he was sent as foreign correspondent to the United States. In order to organize a living for him, he worked for the DAZ, the Deutsche Allgemeine Zeitung, whose editor in chief was Mr. Silex, who was thoroughly anti-Nazi. When Das Reich was founded and they found out that the reports of Scheffer in the DAZ were especially of a high intellectual and political level, they forced him to write for them.

Q. What was the form of pressure that was used on him?

A. They said they would stop his work for the DAZ and then he would have no more income.

Q. What type of article did he write for Das Reich?

A. Foreign policy topics.

Q. Pro-Nazi?

A. No. He was never a Nazi.

Q. Did the Nazi government sponsor any radio programs in, or directed to, the United States?

A. Yes.

Q. What was the nature of these programs?

A. They were of two types. One was to use simple slogans to impress the wide masses of American radio listeners, and the other type was to broadcast political information for American news agencies, newspapers and so on.

Q. Were these programs transmitted by short wave from Germany?

A. Yes.

Q. Did the German government own or lease any stations in the United States?

A. No, not to my knowledge. The Embassy received once an order to organize a broadcasting station in the United States. Thomsen turned it down because we thought it was just throwing away money and would be detrimental.

Q. Were you privileged to disobey orders from Berlin in this manner?

A. No, but the arguments of our reports apparently convinced the Foreign Office.

Q. It seems rather strange that you should not have heeded such an important order. Did you or any representative of the German government purchase any radio programs?

A. No, to my knowledge.

Q. This also seems strange, since radio is such an effective medium of propaganda.

A. There were those short wave broadcasts.

Q. What was the Embassy's function with respect to those broadcasts?

A. On these short wave broadcasts, it was von Gienanth's function to report to the Foreign Office, who would send them to the Propaganda Ministry. The radio propaganda was cherished by both Goebbels and Ribbentrop, so both said they should have a hand in radio propaganda. Ribbentrop organized a radio propaganda department, headed by Minister Ruehle. So it was a constant fight between Goebbels and Ribbentrop who should handle radio propaganda. Gienanth, since 1940, received a salary from the Foreign Office, but he was not a permanent official of the Foreign Office, and so he retained his capacity as representative of the Propaganda Ministry. He drafted his reports for the Berlin Foreign Office; but I think his reports, while forwarded to the Foreign Office, carried a notation to transmit them to the Propaganda Ministry.

Q. What was the nature of Gienanth's reports?

A. Political and technical supervision of the radio propaganda.

Q. Did he report upon certain themes which might effectively be played upon?

A. Yes.

Q. Do you recall the particular themes?

A. I do not remember. Facts which would help keep the United States out of the war.

Q. Were his recommendations followed?

A. Partly.

Q. Did Gienanth report to Germany upon the size of the American audience?

A. Yes—grossly exaggerated. He said 5 million people were listening. I told him I wondered whether it would be much more than 10% of that figure.

Q. Did you see any of Gienanth's reports?

A. Yes. Several times, if the reports were not clear enough, or were not written in the right style, then Thomsen gave them to me. I redrafted them.

Q. Did Gienanth mention the names of any persons he was supporting in these reports?

A. I would not know, because these reports would not necessarily come to my knowledge.

Q. Were any branches established outside of Berlin for short wave radio broadcasting to the United States?

A. Yes, in Shanghai.

Q. What was the reason for that?

A. For technical reasons, German broadcasts did not come through well to the Pacific coast, so Berlin established a powerful radio station on the other side of the Pacific. Several members of the Library of Information, who had gathered experience in the Library, left America and were supposed to go to Shanghai.

Q. What was their function to be?

A. To make a radio program which appealed to American listeners.

Q. Was the Shanghai station openly known as a German station?

A. Yes, I think so.

Q. Did it, in fact, broadcast German news and other programs to the United States?

A. I think so. I personally never heard it.

Q. Did Gienanth report on the effectiveness of these broadcasts?

A. I think so.

Q. Did you read any of the reports submitted about Shanghai?

A. No.

Q. To your knowledge, did the Reich Railways Office, Reichsbahnzentrale, in New York, receive any funds from the Propaganda Ministry?

A. Yes, I think it did.

Q. Who managed the Reichsbahnzentrale?

A. Mr. Ernst Schmitz.

Q. I take it that this is a different Schmitz from the one in the German Library of Information?

A. Yes.

Q. Did you learn that funds were given the Reichsbahnzentrale by the Propaganda Ministry while you were in Washington, or after your return to Germany?

A. After my return.

Q. How much did Schmitz receive from the Propaganda Ministry?

A. I do not know, but they were very large funds.

Q. What was the nature of Schmitz's activity?

A. He published more or less regularly weekly letters in which he appealed to those Americans who he knew had travelled in Europe and had special interest in European affairs.

Q. What did Schmitz seek to accomplish by these publications?

A. To show that Germany would not lose the war, and thereby indicate that it would be useless for the United States to enter the war.

Q. Where did the Reichsbahnzentrale, under Schmitz, receive the materials which were used in its propaganda literature?

A. From the German short wave, direct communications from the Propaganda Ministry and the Transocean News Service. It even picked up some material from the American press.

Q. How large a group of persons did Schmitz reach with his publications?

A. I don't know. Quite large, I assume.

Q. Have you ever heard of Dr. Degner?

A. Yes.

Q. In what connection?

A. He was secretary general of the German-American Chamber of Commerce in New York.

Q. Did he issue any publications?

A. Yes, he issued a periodical.

Q. What was its nature and to whom did he distribute it?

A. It was a weekly which related to the economical strength of Germany. It was distributed to members of the Chamber of Commerce and those influential business men who he thought would like to read his stuff.

Q. How large was the circulation?

A. Not very big. It was supposed to have a select audience.

It was supposed to be read by influential Americans interested in international economic affairs. Several Congressmen used the articles of this periodical for their speeches, and they were distributed to their constituency.

Q. Did Degner receive funds from the German government?

A. From the Propaganda Ministry, I believe.

Q. Did you ever transmit funds to Degner?

A. No.

Q. How did you know that he received funds from the Propaganda Ministry?

A. From conversations with my colleagues.

Q. Did the Consul General in New York exercise any control over Degner?

A. I think so. The Nazi system was for the Consul General to have a kind of control over such enterprises.

Q. Did the Ministry of Propaganda direct the line Degner's magazine was to take?

A. I believe so, by a mutual steering committee of the Propaganda Ministry and the Economic Ministry in Berlin.

Q. Have you ever heard of an organization called the Westermann Book Store in New York?

A. Yes.

Q. In what connection?

A. That you could buy there books about Germany, about economic, financial and political problems, and that those books would give the background for better understanding of German news. For instance, one important topic was the blockade, and they explained why the blockade would remain ineffective because Germany produced so many new synthetics.

Q. Who managed the Westermann Book Company.

A. Eisele.

Q. Did the Westermann Book Store receive any funds from the German government?

A. Yes, I think so.

Q. Did you transmit any funds to the Westermann Book Store?

A. No.

Q. Who did?

A. They came directly from the Propaganda Ministry or maybe from the Carl Schurz Vereinigung in Berlin.

Q. Did the Consul in New York supply any funds to the Westtermann Book Store?

A. I don't know. He may have been an agent for the transmission of funds from the Propaganda Ministry or Carl Schurz.

Q. What do you know about Orgell?

A. He was representative of the VDA (Verein fur das Deutschtum in Ausland) in New York. He was steering man for mass distribution of small pamphlets that were printed in Germany, or at least in Europe, and then sent over and distributed in America.

Q. Who published these leaflets?

A. VDA.

Q. Did the Fichtebund also publish some of these leaflets and pamphlets?

A. Yes, some.

Q. Did he likewise represent Flanders Hall, and aid in the distribution of their materials?

A. No.

Q. Did Orgell receive any funds from the German government?

A. Yes.

Q. How do you know?

A. This was one of the points I learned when I returned to Germany.

Q. Do you know who financed him?

A. Finally the Propaganda Ministry. How many other organizations came between him and the Propaganda Ministry, I do not know.

Q. Do you know of the "Organisation Hoffman"?

A. Yes.

Q. What was the nature of that organization?

A. They published periodicals called "Foreign Letter" or something, which was specially to be distributed in English-speaking countries.

Q. Who was the publisher?

A. Mr. Hoffman, and he lived near Munich at Starnberger See and I think he was close to the SS.

Q. Was he financed by the SS or the Propaganda Ministry?

A. By both.

Q. Did Orgell distribute any of Hoffman's materials?

A. I do not know.

Q. Who did distribute them in the United States?

A. I think they had a list and sent the material directly.

Q. Did you know of this while in the United States, or did you learn of it after your return to Berlin?

A. In the United States. I learned it from Gienanth, at the Embassy, that this weekly of Hoffman was backed by the SS.

Q. Did any of the German agencies or German personnel indulge in whispering campaigns?

A. Yes.

Q. Who?

A. Remnants of the Foreign Section of the Nazi Party in the United States, under the control of Draeger.

Q. Was that the Draeger who was vice-Consul in New York?

A. Consul, under Borchers.

Q. Who financed these whispering campaigns?

A. They were financed by members of the Party.

Q. The Nazi Party in the United States?

A. Yes.

Q. What was the nature of these whispering campaigns?

A. Germany would win the war.

Q. What else?

A. Contradicting atrocity propaganda against Germany.

Q. What else?

A. Anti-Semitic propaganda.

Q. How did you learn about these whispering campaigns?

A. Through visits in New York, I heard about this nonsense.

Q. From whom?

A. From the German newspaper men.

Q. In what period were these whispering campaigns carried out?

A. 1940, 1941.

Q. What do you know about Mr. Westrick?

A. I knew him personally when he came to the United States.

Q. In what capacity?

A. As special envoy of Ribbentrop.

Q. What was his mission?

A. In order to use his personal relations with influential American business men that they should engage in propaganda to keep America out of the war and that if Hitler would win the war in Europe, it would be of great benefit for American economics in general and to their business in particular.

Q. How do you know this?

A. Out of conversations with him in the Embassy.

Q. Did he indicate any particular persons he proposed to contact?

A. He indicated several personalities.

Q. Do you recall any names?

A. An oil man. I cannot remember the name of this man, but I have the recollection that he was forced to resign from the Board of Directors because of his relations with Westrick as exposed by Winchell and other American newspapers.

Q. Did Westrick comment upon this particular event?

A. Several times he came to Washington and reported to Thomsen about his saddening experiences.

Q. Did he mention any other persons?

A. I can't recall their names at the moment.

Q. What "personal relations" did he have in the United States?

A. He was legal adviser in Germany of General Motors, of Coca-Cola, Woolworths, Kodak, and other big American commercial enterprises.

Q. Did Westrick have any funds at his disposal for this particular mission?

A. He said he could use funds in a double way. He had a dollar fund and he said that he could furthermore help prominent business men through unfreezing their blocked credits in Germany.

Q. Who authorized him to engage in this type of activity?

A. He was a special envoy of Ribbentrop.

Q. Also of Goebbels?

A. No.

Q. Did he meet with any success?

A. It is difficult to say.

Q. It is past your dinner time and I believe we had better stop. I want the record to show that you have been very cooperative in answering my questions. Thank you.

I have read the foregoing interrogations, pages 1 through 44; I have made such corrections as I found necessary; I have initialed each page and I certify that all the statements in these interrogations are correct to my best knowledge and belief.

Signed: HERIBERT STREMPEL
Febr. 18th 1946.

Witnessed this 18th day of February 1946, at Oberursel, Germany.

Signed: E. JOAN WAKEFIELD
Sgt. K. BEAUCHAMP
R. OTTENBACHER, Capt., Inf.

AFFIDAVIT

I, Gerhard Schmidt, Director of Haar-Eglfing Insane Asylum, after having been duly sworn, do hereby make the following statement:

I was licensed as M. D. by the University of Berlin (1930). In 1935, I became an assistant at the Institute for Legal Medicine in Berlin. I worked in Bavaria since 1937 at the Public Hospital, Munich-Schwabing, and also at the Research Institute for psychiatry in Munich. Since 1935, I have been familiar with the system of public asylums, mental hospitals, and similar institutions in Germany. I know that public institutions of this kind were under the supervision and control of the provisional administration of the Laender at the district level. All these public institutions were under the supervision and control of the Reich Ministry of the Interior in Berlin at the highest level. The Reich Minister of the Interior was, as I know, Dr. Wilhelm Frick. As Reich Minister of the Interior, he was chief of the Medical Department of the Reich Ministry of the Interior from 1933 until August 1942 when he became Reich Protector of Bohemia and Moravia.

After the beginning of the war in 1939, I learned from a colleague, Dr. Lemberger, who was in charge of an asylum in occupied Poland, that it was planned that the inmates of his asylum should be killed. About 1940, I became acquainted for the first time with the fact that inmates of asylums in Germany itself were being killed. I became acquainted with this fact first through an industrialist. A short time later, I learned it from my colleagues and from many other people—it was a so-called open secret that such killings were not only planned, but were actually being carried out. I was advised about these happenings not only by my colleagues, but also by relatives of people who had been killed.

It is typical, that despite the fact that this whole affair was an open secret, a psychiatrist who was in the Institution of Haar-Eglfing, where such things happened, said he could not give any official answer.

The organization of mass-killings was as follows:

First, the physicians of mental and similar asylums had to fill out questionnaires which were sent to a central agency in Berlin. Then the order came back from the central agency in Berlin, that the persons listed should be taken out from one asylum and sent to another asylum where they were killed. The killing was done frequently by injections. For these organized mass-killings, the authorities used different administrative procedures. I can give the following example for the killing of children: The names of newly born children who were deformed or partly paralyzed, or mentally deficient, were submitted to the health authorities and finally to a Reich agency in Berlin—W.9 P. O. B. 101. A short time after the reports were filed, the County Health authorities of the respective districts, received an order that these children should be sent to a special institution for special modern therapy. I know from hundreds of cases, that this "special modern therapy" was nothing less than the killing of these children—for instance, in the institution of Haar-Eglfing and others.

I read dozens of such orders which said that this procedure of assignment of such children to institutions was "in agreement with the Herrn Reich Minister des Innern (Hr. Reich Minister of the Interior)."

Another method of killing so-called "useless eaters" was to starve them. This was done particularly in a period, when for reasons I do not know, the killing itself was not possible, because possibly of transportation difficulties from one institution to another.

At the end of 1942 a conference took place in the Bavarian Ministry of the Interior which is under the direct supervision of the Reich Ministry of the Interior about the procedure for starving such people to death. In this conference, the directors of the asylums were instructed that "useless eaters" who could not work very much, should be killed by slow starvation. This method apparently was considered very good, because the victims would appear to have died a "natural death". This was a way of camouflaging the killing procedure.

I know from the files of the institution where I am now director, that several hundred people were starved to death. In analyzing the whole system of these mass-killings, I can state as a psychiatrist, familiar with such cases, that hundreds of the people killed would have been absolutely able to perform a certain amount of simple work under supervision—among them, according to my knowledge, some people who had brain injuries from the First World War. Among the people who were killed were also aged people who were a little feeble-minded. So far as the children were concerned, they had mainly brain diseases, but not hereditary diseases, except in a very few cases. In any normal society, such children, mentally deficient, and aged people would have been treated and cared for in the proper way and not killed as "useless eaters".

Signed: Dr. Gerhard Schmidt
Dr. Gerhard Schmidt

Subscribed and sworn to before me this 28th day of March 1946.

Dr. Robert M. W. Kempner,
Office of the U. S. Chief Counsel

TRANSLATION OF DOCUMENT 3843–PS

Business number Vg 3c Vr 1920/45

INTERROGATION OF WITNESS

District Court for penal matters Vienna I sitting in Salzburg on 15 October 1945 beginning of session: 2:00 o'clock

PRESENT:

Judge: L. G. R. Dr. Sucher

Recorder:

CHARGE: against Dr. Guido Schmidt and others.

The witness is warned to tell the whole truth in answer to the questions put to him, to the best of his knowledge and conscientiously, to conceal nothing, and to give his testimony in such a way that he can if necessary confirm it under oath.

He gives his personal data as follows:

1. Given name and surname:	Karl Karwinsky
2. Age:	57 years
3. Place of birth:	Innsbruck
4. Religion:	Roman Catholic
5. Marital status:	Married
6. Occupation:	State Secretary, retired
7. Residence:	Salzburg, Schallmoserhauptstrasse 1
8. Relationship to the accused or to other persons participating in the investigation:	not related

I was State Secretary in the Dollfuss and Schuschnigg cabinets from September 1933 to 15 October 1935. I was therefore not a member of the cabinet when Guido Schmidt was State Secretary or Minister.

I was therefore not able to follow closely his activity in directing for Foreign Ministry. It was known that Guido Schmidt had to pursue a policy toward the Reich which aimed at pacification. However, he had, of course, to pursue the same policy toward the [western powers?] and Italy, when it became clear that Austria urgently needed restraint on the part of these big powers toward Germany. In this connection I recall several occurrences. The treatment which he afforded the foreign representatives was often not at all of a kind to gain sympathy for Austria. I recall that the Italian Foreign Minister Ciano and his wife were annoyed at the way their visit to Vienna developed, since they did not receive enough attention. The worst impression was made by a performance in the Schoenbrunn Castle Theater, where a very mediocre cast rendered the performance, and there were noticeable gaps even in the first few rows of seats, a picture which, if one considers Ciano's well-known vanity, should have been avoided by all means. On Neurath's visit, at any rate, Schmidt had prepared an entirely different type of welcome. I know from repeated talks with the French Minister Puaux, whom I knew as one of Austria's most reliable friends, that he was very much disturbed at Schmidt's personal conduct toward him. Schmidt repeatedly kept Puaux waiting for an unsuitably long time, and, as Puaux thought, with demonstrative intention, when Puaux visited him, only to dismiss him with brief and noncommittal remarks. I also recall that England and Belgium had no corresponding information on the critical situation in Austria. While interned in Magdeburg, there came to my hands the reference book "Who's Who", which contains the personalities prominent in the politics and economy of the Third Reich. The enumeration of the positions held by Guido Schmidt as director-general of the Hermann Goering Works and the numerous supervisory and administrative positions held by him at home and abroad took up much more space than with most of the others.

The deceased wife of the deceased mayor Schmitz, who was in a concentration camp to the end, once turned to Guido Schmidt in her need. First he kept her waiting for an hour, and then he told her that he did not understand why she was excited—there were so many others in Dachau.

At the end of February 1938 I met the then Minister of the Interior Glaise-Horstenau, in Herrengasse [name of street]. He was obviously very cheerful and greeted me with a lively: "How are you, how are you?" I could not share his cheerful mood in those critical days and replied with emphasis: "I am getting along just as an Austrian should in these days. The man out there [Hitler] has his program, and I am afraid that it will not be long before he carries it out." Glaise-Horstenau answered, quite unconcerned: "Yes, of course, he has his program" whereupon I left this Austrian Minister of the Interior.

Shortly after Easter 1934 I received the news that the prisoners in the Kaiser-Steinbruch detention camp had gone on a hunger strike. Thereupon I went there myself, in order to inform myself about the situation. While comparative calm and discipline prevailed in most of the barracks, one barrack was very disorderly. I noticed that one tall man seemed to be the leader of the resistance. This was Kaltenbrunner, at that time a candidate for attorney-at-law, who was under arrest because of his illegal activity in Austria. While all the other barracks gave up their hunger strike after a talk which I held with representatives of the prisoners, the barracks under Kaltenbrunner persisted in the strike. I saw Kaltenbrunner again in the Mauthausen camp, when I was severely ill and lying on rotten straw with many hundred other seriously ill persons, many of them dying. The prisoners, suffering from hunger edema and from the most serious intestinal sicknesses, were lying in unheated barracks in the dead of winter. The most primitive sanitary arrangements were lacking. The toilets and the washrooms were unusable for months. The severely ill persons had to relieve themselves on little marmalade buckets. The soiled straw was not renewed for weeks, so that a stinking liquid was formed, in which worms and maggots crawled around. There was no medical attention or medicine. Conditions were such that 10 to 20 persons died every night. Kaltenbrunner walked through the barracks with a brilliant suite of high SS functionaries, saw everything, must have seen everything. We were under the illusion that these inhuman conditions would now be changed, but they apparently met with Kaltenbrunner's approval, for nothing happened.

In connection with Guido Schmidt, I should like to mention that Dr. Froehlichstal, the secretary of the Chancellor, was often able to keep people from reaching the Chancellor. I had the impression at that time already, however, that Froehlichstal did not put up these difficulties on behalf of the Chancellor, but was waging his own politics.

Read, approved and signed by

Dr. Sucher Karwinsky

I certify that the testimony of Karwinsky was taken before the Austrian court. The present document is a copy of the testimony.

Signed: Dr. Arnold Sucher
Appellate Court Judge [Oberlandesgerichtsrat]

Excerpt of interrogation of Albert Tiefenbacher

[Albert Tiefenbacher was at Mauthausen concentration camp from 1938 until 31 May 1945 and he was employed in the crematorium for three years as a carrier of dead bodies.]

Q. Do you remember Eigruber?

A. Eigruber and Kaltenbrunner were from Linz.

Q. Did you ever see them in Mauthausen?

A. I saw Kaltenbrunner very often.

Q. How many times?

A. He came from time to time and went through the crematorium.

Q. About how many times?

A. Three or four times.

Q. On any occasion when he came through, did you hear him say anything to anybody?

A. When Kaltenbrunner arrived most prisoners had to disappear, only certain people were introduced to him.

The Chief of the Security Police and of the Security Service
Berlin 5 April 1944
110 Copies
53rd Copy

—IV A 2—B. Nr. 220/44 top secret

(*a*) To all Commanders and Inspectors of the Security Police and the Security Service
(To be *announced orally* to the subordinate offices).

(*b*) To the—Groups IV A and IV B
The departments IV A 1
IV A 3
IV A 4—IV A 6
IV B 1—IV B 4

(*c*) To the Agency V—Reich Criminal Police Office
For information to:
The Higher SS and Police Leaders
The Chief of the Regular Police

(*d*) To the Chiefs of the Agencies I—III and VI of the Reich Main Security Office

Re: Treatment of enemy fliers who have bailed out.
Reference: None.

A series of questions concerning the treatment of enemy fliers who have been shot down needs clarification:

I

Enemy pilots who are picked up have to be bound on principle. This measure is necessary and is taken with the full approval of the Chief of the High Command of the Wehrmacht—

(*a*) To prevent the frequent escapes and
(*b*) In view of the very tense personnel situation in those organizations which are to handle these cases.

II

Enemy plane crews who—

(*a*) Put up resistance when captured or
(*b*) Are wearing civilian clothes under their uniforms are to be shot immediately upon being captured.

III

Enemy pilots—particularly of the Anglo-American air force—mostly carry escape kits filled with daggers, various kinds of maps, food ration stamps, escape tools, etc. Escape kits absolutely have to be secured by the police, as they represent most important aids in tracing. It is necessary that they be transmitted to the Luftwaffe.

IV

The order by the Reich Fuehrer of the SS dated 10 August 1943 will partly not be observed, as it was probably not orally transmitted down to the subordinate police offices according to orders. It is therefore repeated: "It is not the task of the police to intervene in altercations between Germans and landed English and American terror pilots who have bailed out."

V

An armband with the inscription: "German Wehrmacht" and a valid stamp was found with the body of an English pilot who had been shot down. This armband is worn only by combatants, and in the various territories of operations it gives the wearer access everywhere to military and strategically important points. Enemy agents who are landed will probably make use of this new means of camouflage.

VI

Individual cases in the last few months have shown that the German population, although they do seize enemy pilots, do not keep the necessary distance toward them until they are handed over to the police or the Wehrmacht. Too strict measures on the part of the State Police against these Germans would prevent them from participating without reservation in the seizure of enemy pilots, the more so as these cases *must not be confused with the crime of helping escaped enemy pilots.*

The Reich Fuehrer of the SS has ordered the following measures to be taken against Germans who, with evil intent or for reasons of mistaken pity, behave in an undignified way toward captured enemy pilots:

(1) In particularly severe cases, internment in a concentration camp, announcement in the papers of the district.

(2) In less severe cases, protective custody, not less than 14 days, with the competent State Police agency. Employment for clearing up work in the damaged territories.

In case there are no damaged territories suitable for employment of these people in the district of a State Police agency, the short-term protective custody is to be carried out in the neighboring State Police district. Since these are always less severe cases, there are no objections—in order to avoid unnecessary burdens on the agencies—to the person to be punished, upon request of the State Police, traveling at his own expense and without guard to the State Police agency indicated to him and reporting there to serve his term of protective custody.

The decision as to whether the case in question is severe or light is to be made by the head of the competent State Police agency after investigation and interrogation of the party, taking into consideration the total personality of the culprit. A short report (not teletype) giving personal data about the culprit and indicating whether it is a light or a severe case, to be sent to Reich Security Main Office.

The Reich Fuehrer of the SS has contacted Reichsleiter Bormann in this matter and has called his attention to the fact that it is the task of the Party functionaries to enlighten the population and to tell them to keep the absolutely necessary distance toward enemy pilots.

I leave it up to the commanders and inspectors of the Security Police and the Security Service to transmit paragraphs V and VI of above decree also in *written* form to the subordinate agencies.

Signed: Dr. Kaltenbrunner
certified: Rose, Office Clerk

This is to certify, that this photostatic copy is an exact and true copy of the document, consisting of 4 (four) pages, which has been found in the archives of the Reichsprotektor of Bohemia and Moravia, and which is deposited with the Czechoslovak Government.

Signed this day the fourth of April, nineteen hundred and forty six.

Gen. Dr. B. Ecer.
Extraordinary Envoy and Minister Plenipotentiary
Gen. Dr. B. Ecer.
Czechoslovak Representative on the United Nations Commission for Investigation of War Crimes.
Nuernberg, 4th April, 1946

TRANSLATION OF DOCUMENT 3857–PS

Prague, 25th November 1939

The Reich Protector in Bohemia and Moravia
No. I Ia—Secret

1. Chancellery to prepare copy of the bracketed portion of the draft of 16th November 1939 from the dossier re oath of loyalty of employees of the Protectorate.

2. To be humbly submitted to the Under Secretary of State, again enclosing—

(*a*) The draft X 119/39 Secret.

(*b*) A copy of my file note submitted 16th November 1939, with the following opinion on (*a*):

The necessity for finding other employment for students who have become idle as a result of the closure of the Czech Universities in the Protectorate was already mentioned by me as can be seen from (*b*), when considerations regarding the closure of Universities were put forward and is recognized by me now as formerly—the more so as it is now certain that the number of persons affected is very much higher than one originally assumed.

This necessity arises especially from the fact that all the students have a more or less chauvinistic attitude and have to be prevented from infecting the population politically throughout the entire territory of the Protectorate after their departure from the Universities to their homes.

I immediately suggested the introduction of compulsory labor service as a radical method.

In the meantime, however, I was informed by competent offices during my recent stay in Berlin that unemployment is beginning to make itself felt within the Reich on a considerable scale, and in particular that important industrial plants to which large detachments of Czech workmen who had come into the Old Reich voluntarily were allocated were begging to be allowed to release these workers back into the Protectorate. This I countered with the statement that the release of large detachments into the territory of the Protectorate were out of the question, and that these detachments had rather to be put to work at places where foreigners were still employed in large numbers (Italians, Slovaks, Jugoslavs, etc.), as for instance at the Hermann Goering Works. I consider it politically far wiser to send the foreigners back home instead of releasing Czech workers who had gone of their own free will into the Reich back into the Protectorate, where they would spread rumors with the usual exaggerations—about the unemployment which is starting in the Reich and might give undesirable material to the whispering propaganda. At least as long as foreigners are still employed in organized groups in the Reich, the release of workers from the Protectorate should be avoided.

From that it is clear that in Reich territory the utilization of fresh groups of workers from the Protectorate has little chance of success. Then there is also the question, which has still not yet been settled, of the possibilities of transporting large groups into the Reich.

But there is above all the further point that, as against the workers from the Protectorate employed in the Reich hitherto, the students enrolled for compulsory labor are not taken to the Reich voluntarily but only by force on the basis of the decree for compulsory labor. As they must in any case be looked upon as sources of discontent on account of their political opinions, they will, owing to the closure of the Universities and compulsory labor, have to be regarded as politically specially dangerous elements; dangerous not only to the other workers in the Reich but also to their fellow Czech workers. For, in case of compulsion on the basis of the decree for compulsory labor, it will not only be the students who have become idle who will be enrolled but also members of all the other various professions and strata of society who belong to an age group due for calling-up.

In such a situation, it appears to me doubtful whether it is advisable to send into the Reich the students who are to be given other occupation via the Compulsory Labor Decree and the members of other professions due for calling-up simultaneously owing to their age groups. I would be far more in favor of employing them only on Protectorate territory to begin with, e. g. on the building of the Oder-Danube canal, the autobahn, etc. A profitable utilization within Reich territory, outside of the Protectorate, appears to be only possible once peacetime conditions are reestablished.

3. Please put this on file relating to "The Compulsory Labor Decree".

TRANSLATION OF DOCUMENT 3858–PS

Prague, 21 November 1939

The Reich Protector, Bohemia and Moravia Head of Group X
X/119/39 Secret

SECRET

1. Note.

Report from: Oberregierungsrat Dr. Dennler.

Re: Enrollment of students affected by the closure of Czech Universities.

According to the data at my disposal the number of students affected by the closure for 3 years of the Czech Universities is 18,998.

According to the Press communications dated the 21st of this month only 1,200 persons were arrested in connection with the events of the 15th of this month. Even if it were only students who were affected by this—of which I am not aware—there nevertheless remains some 17,800 people who are suddenly faced by a change in their whole way of living which affects them in every respect.

This fact calls for a rapid examination of the question as to what is to become of this mass of persons who have become unemployed.

What gives rise to this question is, on the one hand, the imminent expectation of a certain political danger and, on the other hand, the fact that the further idleness of such a considerable number of Protectorate subjects can not be tolerated.

The expectation of a political danger I deduce from the well-known tendency of young Slav students to commit acts of terrorism. I need only refer to Favrilo Princip (28/6/1914), Lenin's brother (attempt of the Czar's life), Dora Brillant (famous Russian terrorist), etc. If the young Czech students have so far not had recourse to such means (such events are unknown to me in recent Czech history), this is probably because they had no direct cause to do so. But now the lives of a number of young undeveloped people have been interfered with by the closure of the Universities, we shall have to reckon, in my opinion, with reactions.

[Manuscript marginal note to this document reads: "In this connection it should be stressed that—contrary to the Old Reich—an extraordinarily high percentage of students come from the working classes. It will therefore, be easier for the expelled students here than in the Old Reich to act as bearers of ideas among the working classes during the time in which the Universities are closed."]

In order, on the one hand, to meet this danger and, on the other hand, to meet the impossible situation—for the other reasons set forth above—where thousands of people in the Protectorate are allowed to remain idle, I consider it necessary to conscript for labor such members of the above-named category as are suitable therefor.

But in my opinion only employment in the Old Reich can be considered, for which the government decree re general compulsory labor service dated 25/7/1939 would give the requisite legal authority. Their employment in the Protectorate is, in my opinion, not possible for political and security reasons, and is also out of the question owing to the lack of suitable accommodation near the Autobahns, which are probably the only places where one could consider employing them. On the other hand, their employment for a limited period on the Autobahns in the Old Reich could, according to my information, be carried out without further ado because there is sufficient barracks space available there.

Should the intention of using the people concerned for labor in Germany be followed up, it would be necessary to exchange views beforehand with Secretary of State, Dr. Syrup. There would, in addition, be the matter of transportation to be settled, about which I cannot give an opinion.

Via Chief of Division II, Ministerialrat Dr. Bertsch.
To the Under Secretary of State von Burgsdorf.
(Dr. Dennler.)
[*Pencil note*:]

I am for a quick clarification of these matters following Dennler's suggestion.

II B 22/XI/39

TRANSLATION OF DOCUMENT 3859–PS

Prague, 31st August, 1940.

No. Rpr. 1391/40

Dear Herr Lammers,

Encl. 1. Enclosed I send you the memorandum, which I mentioned in advance in my letter of the 13th of July 1940, No. Rpr. 1197/40, about the question of the future organization of the Bohemian-Moravian country.

Encl. 2. I enclose another memorandum on the same question, which my Secretary of State K. H. Frank has drawn up independently of me and which, in its train of thoughts, leads to the same result and with which I fully agree. Please present both memoranda to the Fuehrer and arrange a date for a personal interview for myself and Secretary of State Frank. As I have heard from a private source that individual Party and other Offices intend to submit proposals to the Fuehrer for separating various parts of the Protectorate under my authority, without my knowing these projects in detail, I should be grateful to you if you would arrange the date for my interview early enough for me, as the competent Reich Protector and one who understands the Czech problem, to have an opportunity, together with my State Secretary, to place our opinions before the Fuehrer before all sorts of plans are suggested to him by other people.

Heil Hitler,
yours,
[Signed] Freiherr von Neurath.

To the
Head of the Reich Chancellory,
Reich Minister Dr. Lammers,
Berlin, W.8.
Vosstr. 6.

COPY

Enclosure 1
Secret!

Memorandum concerning the question of the future organization of the Bohemian-Moravian territory.

I. Any considerations about the future organization of Bohemia and Moravia must be based on the goal which is to be laid down that that territory from a political and national-political point of view.

From a State-political standpoint there can be but one aim: total incorporation into the Greater German Reich; from a national-political standpoint to fill this territory with Germans.

II. A brief review of the present position from a State-political and national-political standpoint, as it can be seen from the observations and experiences since its incorporation into the Reich took place, will point the path which must be followed to attain the clear and unambiguous aim.

1. It is not as a result of warlike events that Bohemia and Moravia have become a component part of the Greater German Reich. After Slovakia had left the union of Czechoslovakia on the 14th March 1939, the remainder of Czechoslovakia joined the Greater German Reich on the 15th March 1939 in recognition of the real interests of their country, under the leadership of State President Hacha, and were received into the Greater German Reich in the form of a Protectorate, in view of the peculiar circumstances of the "Anschluss". This evolution differentiates that country fundamentally from other territories in the East, North and West, which have become or are still to become component parts of the Greater German Reich as a result of a victorious war.

2. In this land of Bohemia and Moravia there live some 7.2 million Czechs. The settlement area is almost a solid bloc, once the prevailingly German parts of the former Czechoslovakia had

been separated on the 1st October 1938. The small German-speaking oases can not alter this materially. The circumstances of a national nature in Moravia and the so often publicized thesis of the completely different national composition of this part of the country cannot be recognized as of fundamental importance for making final decisions.

These 7.2 million Czechs, of whom 3.4 millions live in towns and communities of over 2000 inhabitants and 3.8 millions in communities of under 2000 inhabitants and in the country, are led and influenced by an intelligentsia which is unduly puffed up in proportion to the size of the country. This part of the population also tried, after the alteration of the constitutional situation of this area, more or less openly to sabotage or at any rate postpone necessary measures which were intended to fit the circumstances of the country to the new state of affairs. The remainder of the population, i. e. small craftsmen, peasants and workmen, adapted themselves better to the new conditions. At any rate, trade and traffic did not come to a standstill. The peasants tilled their fields, whilst workers in all concerns including armament concerns, carried out their tasks satisfactorily. Assimilation to the wartime economy of the Old Reich, and an increase in agricultural production by intensive productive methods were achieved, whilst the specially arduous tasks set this country as regards armaments were completely fulfilled.

The machinery of the Protectorate government and of its officials has also functioned in spite of individual cases of resistance, although it is mostly controlled—at least in higher positions—by precisely those persons who belong to the above-mentioned intelligentsia.

Even if measured by the most rigorous standards it can therefore be said that this country has—even in wartime, which demanded of both government and people an unexpectedly rapid change-over—carried out its duties as part of the Greater German Reich, in the constitutional structure which has been given to it.

3. But it would be a fatal mistake to conclude from this that the government and population behaved in this correct manner because they had accepted inwardly the loss of their independent state and incorporation into Greater Germany. The Germans continue to be looked upon as unwelcome intruders and there is a widespread longing for a return to the old state of affairs, even if the people do not express it openly.

By and large, the population submits to the new conditions but they only do so because they either have the necessary rational insight or else because they fear the consequences of disobedience. They certainly do not do so from conviction. This will be the state of affairs for some time to come.

III. But as things are like that, a decision will have to be taken as to what is to be done with the Czech people in order to attain the objective of incorporating the country and filling it with Germans as quickly as possible and as thoroughly as possible.

1. The most radical and theoretically complete solution to the problem would be to evacuate all Czechs completely from this country and replace them by Germans. But this solution is not possible because there are not sufficient Germans to fill immediately all the vacant spaces which will in a measurably short time belong to Greater Germany. Even if the urgency of Germanising the Bohemian-Moravian country is recognized and even if it is admitted that it is easier to bring Germans to this area—at any rate from the Old Reich and from Austria—than to Poland, it would probably be impossible to carry out the radical solution in a short while unless we were prepared to allow fields to remain fallow and towns to become deserted. But when we take the total position in the Reich into consideration, that is impossible. To carry out the most radical solution would also require decades.

2. But to attain the objective of filling this area with Germans, a total evacuation of Czechs is not necessary.

If one looks at the population of the present Protectorate area more closely, one is astonished at the large number of blonde people with intelligent faces and well built bodies, people who would hardly strike one unfavorably in Central Germany or Southern Germany, nor to speak of the region east of the Elbe. In view of the great amount of intermarriage with Teutons which has gone on during the past millennium, I consider it would be quite possible—for this reason if for none other—to leave a large part of the population in Bohemia and Moravia. In that respect the Czechs differ fundamentally from the Poles, and can therefore not be treated according to the same principles. It will, where the Czechs are concerned, rather be a case on the one hand, of keeping those Czechs who are suitable for Germanisation by individual selective breeding whilst on the other hand expelling those who are not useful from a racial standpoint or are enemies of the Reich (i. e., the intelligentsia which has developed in the last 20 years). If we use such a procedure, Germanisation can be carried out successfully.

IV. In my opinion, therefore, neither can the Czech people be quickly eliminated from this area nor is it proved that such elimination would be in the interests of the Greater German Reich. To decide the question as to what is to be done with each individual member of the Czech people, i. e. whether he is to be received into the German national community for assimilation or whether he is to be kept apart from it, will need many years.

V. There then arises the question: what constitutional form shall this country have during the transitional period, which I estimate at a minimum of two generations, and how is it to be administered.

In accordance with what I have explained above, we have to start from the fact that we must reckon with the presence of about 7 million Czechs who live almost in a solid bloc. For the constitutional form of the Protectorate for the Czech rump State, it was originally points of view based on foreign policy that counted above all. But this form has, after the experience we have gained in close on 1½ years, proved itself in the field of home politics and administration as well. There is therefore no essential reason to depart from it.

For the administration of the Bohemian-Moravian country by German officials alone we have not got the manpower. Every man who thinks in a statesmanlike and simultaneously practical way therefore has the idea that the simplest way is to let these Czechs administer themselves within the framework of the Greater German Reich and in accordance with its aims; i. e. to leave them an administrative organization of their own and to give them administrative autonomy within the limits just mentioned. And finally, it will be such an administration, in tune with the majority of the population that will best succeed in ensuring quiet and order, and consequently the smooth running of daily life in this area. A German administration modelled on the lines of the German Gaus could not but have a disquieting effect, because it would all too easily be tempted to use administrative methods employed in the Old Reich which would not be suitable here and because—in its whole being—it is much too intensive not to arouse resistance unnecessarily.

Equally, the German administration must continue in the transitional period to limit itself to supervising the actual administration of this country, to laying down guiding lines according to which the administration is to be carried out and to issuing orders to guarantee and further at all times the interests of the Greater German Reich. The activity of the German administration here is thus a governing activity. It is clearly eliminated in the decree of the 16th March 1939. I must insistently warn you against abandoning *this kind of German administration* before this area has become Germanised. It is simple and clear-cut and entails intervention only if the execution of the Fuehrer's political directives is endangered.

But then it also becomes apparent from this that the Czech problem can only be handled homogeneously and by one central Reich bureau. Any dismemberment of Bohemia and Moravia is bound to endanger the clear, unified direction of the Czech administration and the Czech people. However clear the objective and the means may be, they are nevertheless bound to be variously interpreted by various administrations and then the methods used are also bound to differ. In view of the mentality of the Czechs and their great tactical skill, they will soon find ways and means of playing off the various administrations against one another. Their tactical political ability has been schooled through hundreds of years. A forced partition of the country would fan up political nationalism anew and only strengthen opposition. Therefore, direction must come from *one* central government authority, in the hands of *one* person only. The Czech problem cannot be solved at one fell swoop. For the Germanisation of this country, many separate means will have to be adopted in the most varying spheres, and because these means will require many years to become effective, a constant unified direction of Bohemia and Moravia will be necessary. In a struggle between races nothing is more harmful than a vacillating attitude and an unified line.

A Reich policy can be followed in the Protectorate only by central direction. But if we, for instance, ceded Moravia to the Niederdonau Gau [Lower Danubian district], not only would a differentiation between Bohemia and Moravia arise, but the accession of this district might even place Austria face to face with new difficulties in its relations to the Reich, which would above all also entail for the Greater German Reich itself dangers that should not be under-estimated.

The necessity of a unified direction of policy towards the Czechs is not affected by the fact that not all Czechs live in the Protectorate. The Czechs who live in neighboring districts, outside the Protectorate, are just "splinters" without any significance as compared to the mass living in the Protectorate. When they are being Germanised or removed, we can go at quite a different speed, and other methods can be used for handling such minorities. These differentiations need not disturb us. The real Czech problem only exists in the Protectorate. And that is why, in the long run, it can only be settled here.

VI. The incorporation of the Sudeten district into Bohemia/Moravia for historical reasons does not appear appropriate, even if one takes into account that this strengthens the number of Germans.

VII. If one considers the gigantic tasks facing the German nation after a victorious war, the necessity for a careful and rational utilization of Germans will be apparent to everyone. There are so many tasks that have to be tackled at once and simultaneously that a careful, well thought out utilization of the Germans who are suitable for carrying out these tasks is necessary. The Greater German Reich will have to make use of the help of foreigners on a large scale in all spheres and must confine itself to appointing Germans to the key positions and to taking over the reins of public administration where the interests of the Reich make it absolutely necessary (e. g. military and parts of the police).

In the Protectorate there is in existence a (Czech) Protectorate administration working along technical lines and organized according to the needs of a modern State, and this can do the greater part of the work that is done in the Reich itself by the German administration. It is even possible that when the war is over it may be given further tasks that are now performed by German authorities. It will suffice to incorporate comparatively few Germans into the key positions of the Protectorate's administration and to have a German leadership in Bohemia and Moravia composed of a comparatively small number of German government authorities.

VIII. The past of Bohemia and Moravia, the history of the country which is of particular importance to the German nation and which is reflected in the history of the capital, Prague, and the particularly heavy tasks which—as far as the human mind can see—will devolve on that city in a racially foreign area, make it appear an absolute necessity not to weaken its position as the center of Bohemia and Moravia in any way by breaking off parts of the territory. Any city that is to be a focal point requires sufficient space to keep such a position. Such a city must be the gravitation-point of a large area having a big population, in order to be able at the same time to radiate and fructify the area and population with the yields of its spiritual, cultural and industrial labors. In the case of Prague there is the additional point that it would be prevented from fulfilling its historical role of gaining influence further southeastwards as well if its old hinterland of Bohemia and Moravia were cut into, precisely at a time when this age-old German city of Prague is at last once more placed in a position to exert this influence according to the ideas of and for the benefit of the Greater German Reich. Even if the broad political lines are laid down in Berlin for the South East countries too the individual threads, at least in the industrial and cultural spheres, will still emanate to a large extent from here, on account of the position of Prague and its past.

That is why this country deserves special attention and furtherance, in the interests of Greater Germany. We should beware of experiments, even of a purely administrative kind, which would only too easily make it difficult to attain the clear and unambiguous object of the gradual confounding of land and population with Greater Germany and the role that is due to this country on account of its geographical situation and history.

Copy certified correct:
SS Obersturmbannfuhrer [Lieut. Col—signature illegible]

ENCLOSURE NO. 2.

MEMORANDUM ON THE TREATMENT OF THE CZECH PROBLEM AND THE FUTURE ORGANISATION OF THE BOHEMIAN-MORAVIAN TERRITORY

The Purpose of the Memorandum

The Protectorate of Bohemia and Moravia was established under definite political conditions and the legal and political order it received at the time arose from these conditions. (14.3.1939). The question as to whether the Protectorate, with a Reich Protector at its head, is suitable for settling the Czech problem and should therefore be retained, or whether it should give place to some other form of government is being raised by various people and is the cause of this memorandum. It will briefly

A. Indicate the nature of the Czech problem;
B. Analyse the present way in which it is being dealt with;
C. Examine the proposed alterations from the point of view of their suitability and finally
D. Express an independent opinion on the whole question.

On a correct decision depends the solution of the Czech problem. *We thus bear the responsibility for centuries to come.*

A. The Nature of the Czech Problem

I. The nature of the Czech problem becomes evident from
(1) A look at the geographical and ethnographic map,
(2) the knowledge of racial conditions and
(3) from the historic fate of the Czech people.

(1) The Czech people, which belongs to the western Slavs, lives not only within the German political Lebensraum but also within its ethnographic Lebensraum. Its territorial position prohibits political independence. The inability of the Czechs to organise themselves into a permanent state is a fate arising from their geographical position. The Greater German Reich must be able to dispose of this territory and its inhabitants politically. Out of this arises the question of the fate of the Czech people and of the constitutional form of its incorporation into the Reich.

(2) Originally there existed a strong racial difference between the Teutonic Germans and the Slav Czechs. But the fact that the Czechs belonged for a thousand years to the Old Reich or to States governed by Germans, determined not only the political and social but also the racial structure of the Czech people, i.e. it considerably altered it. From the very beginning a mixing of German and Czech blood took place here. Just as the Czech princes took their wives from amongst the German noble families, so also did the rest of the nobility and the citizens and peasants intermarry with Germans. Only towards the end of the 18th century did the ratio of Germans to Czechs of 5 to 3, which had existed till then,—in the flat country as well,—change to that of 3 to 5,—a fact which can be explained only by the quiet transformation of a corresponding number of Germans into Czechs, whose descendants, bearing Czech or German names, today live as Czechs. On the other hand, particularly in the course of the 19th century the Germanisation of numerous Czechs took place. The outcome of this thousand year long historical process is the far reaching racial levelling off of the two peoples in the Bohemian area, so that now only a minority has retained the *original* distinctive racial features in a pure state. This strong intake of Germanic blood also explains the ability of the Czech people to produce considerable achievements in the spheres of culture and civilisation—especially since the beginning of the 19th century—to a far greater degree than, for instance, the Slavonic Poles. The Germans from the Old Reich, who expected to find a "Polish Economy" [translator's note: slang for "chaotic state of affairs"]

in this country, are always astonished at the high cultural level in Bohemia and Moravia.

(3) History finally shows, that the practice of incorporating Bohemia into the Reich, at first as a tributary and then as a fief was an advantageous solution for both sides. The withdrawal of Bohemia in the 16th century is not an isolated process, but is one of the many cases of the breaking up of the Old Reich into separate territories. The break took place in connection with and was caused by the great religious confessional antagonisms which led to political cleavages not only between neighbour peoples but also within the individual peoples. From 1526 until 1918 Bohemia was then again made a part of a comprehensive and vast state structure, and lived in it in a kind of political autonomy. Only the Masaryk-Benes epoch produces an attempt at absolute opposition to Germanism.

If the territorial situation forces the inclusion of Bohemia and Moravia in the Reich, the racial picture provided by the Czechs permits a *policy of assimilation or of changing nationality for a majority of the Czechs*: the past finally demonstrates the protectorate-like form of the inclusion of Bohemia in the Old Reich as it proved itself during centuries.

II. At present the Czech people are in the midst of a real and extremely severe spiritual-political crisis. The collapse came suddenly and catastrophically. A tremendous number of new things have stormed in on the Czechs. They have not as yet found a way out of the collapse of the old values, concepts and orientations. The present mental-spiritual attitude of the Czech people is somewhat as follows:

(1) In the case of the one-time exploiters and of the majority of the intelligentsia, who are very numerous in proportion to the total population and who are very conceited: they hope that we will be defeated and that Czechoslovakia will subsequently be resurrected. *This class is irreconcilable.*

(2) Then—and that also in the circles of the elder intelligentsia—a class of Czechs who entertained doubts of the durability of the 1918 arrangement even in Czechoslovakia. (Advocates of the former Austro-Slavism, older State officials, as well as officers and men faithful to Austria). These people are beginning to remember that they had lived well for centuries while they were part of a foreign State union.

(3) A factor comprising primarily the wide class of peasants, workers and petits bourgeois which until now we have hardly worked on at all in the way of political propaganda. Their na-

tional consciousness bears no strongly developed national-political, but a more patriotic, folk lore note. This circle may follow a clever German leadership, if it can continue in this manner for the time being and if it is no longer incited by the intellectuals.

B. Analysis of the present constitutional and political shape of Bohemia and Moravia.

The constitutional position of the Reich provinces of Bohemia and Moravia has not reached its final shape with the setting up of the Protectorate, and the Czech problem cannot yet be regarded as having been finally solved thereby. On the contrary, only the first stage of a process has thereby been entered on. The war has greatly influenced this course. The effect has been partly to speed it up, in as far as the Reich has attained a dominant position in Europe and the world within a short space of time, whereby a certain part of the external political considerations of March 1939 have been eliminated; and partly obstructive, because the need for the contribution of the Protectorate to efforts vital for the war, (intensive agricultural production, production of arms and munitions, functioning of trade and traffic) forbids any attack on the Czech national spirit because of possible interruptions in the smooth-running of production on which might result for the duration of the war.

The setting up of a *central Reich authority which is subordinated only to the Fuehrer* has proved itself absolutely correct. Under the leadership of the Reich Protector, the Czechs have, by and large, rendered their contribution to the production demands of the Reich, during the war also, without any big acts of sabotage, partly out of conviction that only thus would they maintain their autonomy and secure their national existence and partly for fear of punishment. The Czech administration, controlled and directed by the Reich Protector, has functioned and works even in times of crisis without serious disturbances, owing to suitable German pressure.

Nevertheless, the Reich Protector is today forced to maintain an administrative activity based on the status quo. We cannot be satisfied with this kind of stationary policy in the long run, but must emerge from this passive attitude one day and enter upon an attack against this area and against the Czech people within the framework of a plan embracing the whole Reich. This then necessitates a change of the constitutional structure of the Protectorate, since the further undisturbed functioning of the Reich Protector's present administrative apparatus does not by itself bring about the assimilation or Germanisation of the Czechs.

C. Opinion on various Party and other Projects

Various Party and State authorities are at present concerning themselves intensively with the future shaping of the Bohemian-Moravian area and the solution of the Czech problem. The causes for these projects are:

(1) The plans of individual Gauleiters concerning the reforming and remodelling of their regions. (Sudetendistrict, Lower Danube, Upper Danube, Silesia etc.).

(2) Constitutional deliberations by some State authorities concerning Reich reforms and the New Order of the coming Reich. (Ministry of the Interior, Hess' Staff).

(3) Certain economic and financial interests of Berlin State departments (Ministries of economy, finance, food, postal services and transport).

Nearly all of these projects foresee as speedy a dissolution of the Protectorate as possible and with that of the office of Reich Protector, demand a splitting up into 3 or 4 Reich Gaus of the territory which is at present one whole and with this the earliest possible total incorporation into the Reich administration. From such a splitting up of the Czechs into several Reich Gaus, they expect—besides a simplification of the Administration—a speedy solution of the Czech nationality problem, i.e. Germanisation in a short time by means of the offensive power possessed by the Gaus.

The efforts of the Lower Danube Gau leadership aim at separating Moravia and joining it to the present Lower Danube Gau, with Brno as the Gau capital, and intend Bohemia as a kind of Czech "reserve". From the Lower Danube to Silesia a German corridor is to be created. In this connection the tribal differences of the "Moravian Slavs" are also specially speculated upon.

To this the following has to be pointed out:

(1) The decision about the solution of the Czech problem must not be made dependent on the special interests of individual Gauleiters, however justified such interests may seem at present. The New Order of the Reich is at stake, and with it the *final* solution of the Czech question, i.e. Reich interests and not Gau interests. The latter are to be subordinated to the former. The emphasis on the primary importance of Reich interests excludes neither the bringing in of the native forces in the adjoining frontier areas which have proved themselves in the racial struggle, nor consideration for the requirements of the industries belonging to these areas, industries which for ages had their natural marketing area in Bohemia and Moravia.

(2) The opinion that, by splitting up the national bloc living in one closed body and distributing it to several Reich Gaus the Czechs can be Germanised more rapidly—these projects too consider total evacuation impossible to carry out—is wrong for these reasons:

a. because the first reaction to partition would be an increase in political tension among the Czechs, the flaring up of resistance and a fresh growth of *political* consciousness among the Czechs, whereas what is desired is to make them unpolitical and disorganized;

b. because administrative frontiers can never destroy a united people and an administrative splitting up unfortunately does not end the existence of a Czech nationhood very conscious of unity. History has proved this in Poland, which was thrice incorporated by partition into three different states. It was then that the political regeneration of the Polish people really started in earnest;

c. because, against a Czech nationhood which in reality remains unified, there would stand—not a unified Reich authority but a number of Gau offices or Reich Governorates working and experimenting along different lines, as we know from experience. The German strength would be split up, and the vital Czech people would find it easier to deal with these divided German forces;

d. because such an official "Czech partition" brings with it sharp reactions in the field of foreign politics and disturbs the Reich's policy of wide spaces in the South East. To this must be added the fact that the Czechs were not incorporated as a result of war, but that they asked for protection, which might perhaps frighten other South Eastern peoples off doing this.

It should further be noted that the creation of a "Czech reserve" in Bohemia does not constitute a constructive solution, as this gives rise to new administrative problems and the "Czech reserve" is not Germanised—the problem thus remaining. In addition it is hardly possible to prevent these Czechs multiplying in the Reserve and they will shortly begin to emigrate once more into the neighboring frontier areas.

D. Own Opinion

The aim of Reich policy in Bohemia and Moravia must be the complete Germanisation of area and people. In order to attain this, there are two possibilities:

I. The *total evacuation* of the Czechs from Bohemia and Moravia to a territory outside the Reich and settling Germans in the freed territory, or

II. if one leaves the majority of the Czechs in Bohemia and Moravia, the *simultaneous application of a great variety of methods working towards Germanisation,* in accordance with a plan containing a target year.

Such a Germanisation provides for:

(1) The changing of the nationality of racially suitable Czechs;

(2) The expulsion of racially unassimilable Czechs and of the intelligentsia who are enemies of the Reich, or "special treatment" for these and all destructive elements:

(3) The recolonising of the territory thus freed with fresh German blood.

To I: I consider that the total expulsion of 7.2 million Czechs is impossible to carry out,

a. because there is no space available where they can be settled afresh;

b. because there are no Germans available who can immediately fill the vacated space;

c. because the core of Europe which is highly civilized and highly sensitive, economically and in the technical field of communications cannot stand being disturbed in its functions and cannot tolerate a vacuum;

d. because human beings represent Reich capital and we, in the new Reich, can not do without the working power of 7 million Czechs;

e. because probably the shock effects on other South Eastern peoples are undesirable.

To II: In my opinion, Germanisation can nevertheless be achieved by means of the three possibilities here mentioned. The successful attempts at assimilation in past centuries, the bringing of millions of Czechs to the German racial level which thereby took place, and which is described above and the power of attraction of the new Reich make it possible and probable that several million Czechs can be got really to transform themselves nationally. To separate this transformable part of the Czech population from those who are racially inferior is the task of special commissions of investigation, to be appointed for this purpose. (Perhaps within the framework of the public health services). Via a systematically carried out political neutralization and depoliticalisation, one must first of all arrive at a political (spiritual) and then at a racial assimilation of the Czech people, in order finally to attain a real national transformation.

This process will have to continue both in the Protectorate area itself and also on a wide scale in Germany proper. Well planned methods sure of their goal are to be employed in all spheres of national life in an elastic manner and in a great variety of different ways. Only some of these methods can be pointed to here in their general lines:

WORKERS:

Raising of the standard of living—participation in the social achievements of National Socialism (German Labor Front, Strength through Joy)—granting of obvious advantages on declaring in favor of Germanism (elimination of every defamation)—large scale exchange of places of work with the Reich proper—including transfer of families (at present 95,000 Czech workers voluntarily work in the Reich proper after having been recruited)—a certain differential scale of wages between the Reich proper and the Protectorate to be maintained as an inducement—transfer of female domestic servants into the Reich proper—ditto waiters, menservants, musicians, etc.

FARMERS:

Participation of Czech farmers in the advantages of the German agricultural policy favorable to farmers—good policy of markets and prices—inheritability of farms only for German peasants—German defensive farm settlements along the Eastern frontier.

MIDDLE CLASSES:

Materially promote trade and commerce—offer social advantages to officials—open up personal prospects—promotions—award of honors.

YOUTH:

Fundamental change in education—extermination of the Czech historical myth—education towards the Reich idea—no getting on without perfect knowledge of the German language—first doing away with the secondary schools, later also with the elementary schools—never again any Czech universities, only transitionally the "Collegium Bohemicus" at the German university in Prague—2 years compulsory labor service.

* * * * * * *

Large scale land policy, creation of German strongpoints and German bridges of land, in particular pushing forward of the German national soil from the north as far as the suburbs of Prague.

Campaign against the Czech language, which is to become merely a dialect as in the 17th and 18th centuries, and which is to disappear completely as an official language.

Marriage policy after previous racial examination.

In attempts at assimilation in the Reich proper, the frontier Gaus must be excluded.

Apart from continuous propaganda for Germanism and the granting of advantages as an inducement, severest police methods, with exile and "special treatment" for all saboteurs. Principle: "Pastry and whip"!

The employment of all these methods has a chance of success only if *a single central Reich authority with one man at its head* controls its planning, guiding, and carrying out. The direct subordination of the "master in Bohemia" to the Fuehrer clarifies the political character of the office and the task, and prevents the political problem from sinking down to an administrative problem. Only thus can the task be withheld from the departmental jealousies and the multiplicity of the Ministries and other Reich and Party offices. The Czech is always impressed only by the direct use of Reich authority. With his political skill and his tactics, trained throughout centuries, he can easily deal with three or four different provincialisms, particularly since for the time being "mother Prague" [pencil note: Head Office in Russia] will in any event remain the political brain of the Czech nation. *Any division* of the Protectorate area violates *this principle.*

Until suitable successes have been achieved in the intended process of national transformation, I therefore recommend the following:

(1) The maintenance of the territorial unity of the present Protectorate area. Frontier adjustments on a small scale in favor of the adjoining Gaus, or for technical reasons, are always possible. (Pilsen, Morava, Ostrava, Neuhaus, etc.).

(2) The maintenance of *one* central Reich authority in Prague, with *one* man at its head, who is directly subordinated to the Fuehrer and equipped with all the necessary powers for Germanizing.

(3) The step by step elimination of the autonomy of the Czechs, and the careful, gradual elimination of the Czech machinery of state connected therewith, commencing with the highest authorities, but retaining a body of Czech officials and employees.

I recommend paragraph (3) for the reason that—

(a) Owing to lack of officials we are not in a position to appoint German functionaries for the 7,950 urban and rural administration offices, the 92 county administration offices, and 2 Provincial authorities, and because, owing to the enormous tasks which will face us in the future Reich we have to make use of Czechs on a large scale.

(b) Because—thanks to the German hand which guided it—the Czech administrative machine did function on the whole—during the war too—will continue to work in the future too and —in its own interests—will maintain quiet and order on the Czech's own responsibility.

(c) Because it is quite sufficient if we occupy all the important key positions in the higher administrative offices with a comparatively small but well trained body of German officials, and, instead of ourselves administrating every little detail, issue directives and lead, i.e. *rule.*

* * * * * * *

This memorandum takes for granted the intention of wishing to Germanize the area of population of the Protectorate. It therefore does not deal with the problem of an absolute "degradation" of the Czech people to a purely auxiliary race [Hilfsvolk] on racial grounds (Askari viewpoint!), a race to be outlawed socially and intermarriage with which would have to be forbidden. The practical carrying out of *a complete degradation* is rather considered as impracticable, and only an individual degradation is visualized as a special method of "special treatment" [Sonderbehandlung] in accordance with D II/2. And according to the explanations contained in this memorandum, this degradation does not seem to be necessary, because the solution of the Czech question, and with it the final pacification of the centuries-old Bohemian-Moravian center of unrest [Brandherd] in Europe, can be attained in the manner proposed.

At the end of a certain period of transition, during which the process of Germanization must be brought into full operation in a uniform manner, nothing any longer stands in the way of a partition of the present territory of the Protectorate and its allocation to the Reich, or of the creation of new Reich Gaus.

Prague, 28 August 1940.
(Signed) Secretary of State
K. H. FRANK.

Prague, 27th June 1941

The Reichs Protector for Bohemia and Moravia
I 1 a—3943

[Stamp:] Office of the State Secretary
Reichs Protectorate for Bohemia and Moravia.
Recd. 16/7/1941

Confidential!

To:

(*a*) The Office of the Reichs Protector
(*b*) The Office of the State Secretary
(*c*) The Office of the Under State Secretary
(*d*) The Central Administration
(*e*) Sections I to IV
(*f*) All groups
(*g*) The Office for Moravia at Bruenn
(*h*) The Plenipotentiary of the Armed Forces
(*i*) The District Labor Chief
(*j*) The Commander of the Public Police
(*k*) The Commander of the Security Police
(*l*) The Representative of the Foreign Office
(*m*) The Party Liaison Office
(*n*) The Bohemian and Moravian Oberlandraete
(*o*) The Curator, German Scientific High School, Prague
(*p*) The Curator, German Technical High School, Bruenn
(*q*) The higher Finance President
(*r*) The Chief District Judge
(*s*) The Attorney General
(*t*) Head Office, German Reichspost.

Re: Handling of the German-Czech problem.

For the motive stated, I order that in future, when arrangements and publications of any kind concerning the German-Czech problem are made, the views of the whole population are more than ever to be directed to the war and its requirements, while the duty of the Czech nation to carry out the war tasks imposed on it jointly with the Greater Reich is to be stressed.

Other questions concerning the German-Czech problem are not suitable subjects for public discussion at the present time. I wish to point out that, without detriment to my orders, administrative handling and treatment of all questions about the German-Czech problem are to be in no way alluded to.

What is decisive for my order is the necessity for seeing that quiet and order reign in the Protectorate during the war and that the working population, both in the country and in towns, especially in the armaments industry, are allowed to perform their tasks, so important to the war, without hindrance. Public explanations or expressions cannot be allowed to disturb the arrangements I have made for maintaining peace and order. Any disturbance of the public by untimely discussion of the German-Czech problem gives to enemy broadcasters, enemy agents, and opposition-circles the occasion for stirring up the Czech population.

Requisite public statements about the *political* questions of the Protectorate, and in particular those addressed to the Czech population, are my business and mine alone and will be published in due time.

[signed]: Freiherr von Neurath
Witnessed:
[signature illegible]
Registrar

PARTIAL TRANSLATION OF DOCUMENT 3876–PS

Berlin, 27 February 1942.

[page 17]
The Chief of the Security Police and the SD
IV A 1—B. No. 24 B/41 gRs.
SECRET [rubber stamp]
Re: Report No. 9 concerning the activity of the "Einsatzgruppen" of the Security Police and the SD in the USSR.
Encl: 1

I herewith enclose the ninth summary report concerning the activity of the "Einsatzgruppen" of the Security Police and the SD in the USSR. The reports will be sent out periodically in future.

Signed: Heydrich.

Filed 7 March [Office rubber stamp]

certified:
Signed: Gotschlich
Office clerk

Distribution:
To the Chiefs of the "Einsatzgruppen" A, B, C, and D (with extra copies for the "Einsatzkommandos" and commanders of the Security Police and the SD).

Commander of the Security Police and the SD SS-Oberfuehrer [Brig. Gen.] Dr. Schoengarth, Cracow.

Inspector of the border I—East—SS-Oberfuehrer RuKD Damzog, Posznan.

Higher SS and Police Chief SS-O'Gruf. [Maj. Gen.] Jeckeln, Riga

SS-O'Gruf. [Maj. Gen.] v. d. Bach Mogilew

SS-O'Gruf. [Maj. Gen.] Pruetzmann, Kriwoj-Rog

SS-Brif. [Brig. Gen.] Korsemann, Rowno

[page 18]

SS-O'Gruf. [Lieut. Gen.] Krueger, Cracow

SS-O'Gruf. [Lieut. Gen.] Heissmeyer, Berlin

SS-O'Gruf. [Lieut. Gen.] v. Woyrsch, Dresden

SS-O'Gruf. [Lieut. Gen.] Schmauser, Breslau

SS-Gruf. [Maj. Gen.] Mazuw, Stettin

SS-Gruf. [Maj. Gen.] Dr. Kaltenbrunner, Vienna

SS-Gruf. [Maj. Gen.] Koppe, Posznan

SS-Gruf. [Maj. Gen.] Undersecretary of State Frank, Prague

SS and Police Chief SS-Brif [Brig. Gen.] Schroeder, Riga

SS--Brif. [Brig. Gen.] Wysocki, Kovno

SS-Oberf. [Brig. Gen.] Moeller, Reval

SS-Brif. [Brig. Gen.] Zenner, Minsk

SS-O'Stubaf. [Lieut. Col.] Hellwig, Shitomir

SS-Oberf. [Brig. Gen.] Scherner, Cracow

SS-Oberf. [Brig. Gen.] Wigand, Warsaw

SS-Oberf. [Brig. Gen.] Oberg, Radom

SS-Brif. [Brig. Gen.] Katzmann, Lwow

SS-Brif. [Brig. Gen.] Haltermann, Kiew

Reich Defense Commissioner for the "Wehrkreis" I c.o. Reg. Dir. Koehler, Koenigsberg, Prussia.

Reich Defense Commissioner for the "Wehrkreis" II c.o. Reg. Dir. Buchholz, Stettin.

Reich Defense Commissioner for the "Wehrkreis" VIII c.o. ORR. Dr. Frhr. v. Wrangel, Breslau.

Reich Defense Commissioner for the "Wehrkreis" XVII c.o. RR Dr. Fischer, Vienna.

Reich Defense Commissioner for the "Wehrkreis" XX c.o. ORR. Brien, Danzig.

Reich Defense Commissioner for the "Wehrkreis" XXI c.o. RR. Mittendorf, Posznan.

Reich Defense Commissioner for the occupied Polish Territories Gov. Gen. Reich Minister Dr. Frank.
c.o. ORR. Dr. Schepers, Berlin.

SS-Brif. [Brig. Gen.] Harm, Stettin (SS-Oberabschnitt [section] Baltic Sea).

* * * * * * *

[page 19]

SECRET [rubber stamp]
100 copies
67th copy

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[page 20]

Report No. 9 of the activities
of the "Einsatzgruppen" of the Security Police
and the SD in the USSR
(For the period from 1 Jan. to 31 Jan. 1942)

* * * * * * *

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INDEX

I. Garrisons.
II. Activities:
  A. Partisans.
  B. Fight against communists, functionaries, and criminal elements.
  C. Jews.
  D. Propaganda activity.
III. Feeling and attitude of the population:
  A. Latvia.
  B. Esthonia.
  C. White Ruthenia.
IV. Polish Resistance Movements
V. Organization of Ukrainian Nationalists (OUN)

* * * * * * *

[page 31/32]

C. JEWS.

Now as ever the attitude of the Jews is unequivocally anti-German and criminal. It is attempted to purge East Land [Ostland] as completely as possible of Jews. Executions by shooting are carried out everywhere in such a manner as not to attract public attention. The public and even the remaining Jews are mostly of the opinion that the Jews have only been transferred to a different domicile.

Esthonia is already free of Jews.

In Latvia the number of 29,500 Jews remaining in Riga was reduced to 2,500. Nine hundred sixty-two Jews still living in Dvinsk are urgently needed as workers.

In Lithuania the country and the smaller towns have been completely purged of Jews. Aside from basic considerations this was particularly urgent because Communist elements, especially terror groups and circles of the Polish resistance movement were establishing connections with the Jews. The Jews, on the other hand, often tried to arouse anti-German feeling among Lithuanian circles by themselves willing to participate in the reconstruction.

The Jews in Zagare were particularly active. There, 50 Jews escaped from the Ghetto but could be caught again and shot. During the shooting of all Jews in Zagare, organized as a result of the above mentioned incident, the Jews attacked the guards while shouting "Long live Stalin" and "Down with Hitler". Resistance was crushed immediately.

In Lithuania there are still 15,000 Jews in Kaunas [Kovno] 4,500 in Shavli, and an additional 15,000 in Vilna who are also needed as workers. In White Ruthenia the purge of Jews is under way. The number of Jews in the part up to now handed over to the civil administration amounts to 139,000. In the meantime, 33,210 Jews were shot by the special unit [Einsatzgruppe] of the Security Police and the Security Service [SD].

*　　*　　*　　*　　*　　*　　*

[page 45]

Berlin, 23 April 1942

The Chief of the Security Police and the SD
IV A 1—B. No. 24 B/41 gRs

SECRET [rubber stamp]

Re: Report No. 11 concerning the activity of the "Einsatzgruppen" of the Security Police and the SD in the USSR.
Encl: 1

At the request of the Chief of the Security Police and the SD I herewith enclose the eleventh summary report concerning the activity of the "Einsatzgruppen" of the Security Police and the SD in the USSR.

signed: Heydrich.

Filed 4 May 42 [Office rubber stamp]

Certified:
Signed: Gotschlich
Office clerk

Distribution:

To the Chiefs of the "Einsatzgruppen" A, B, C and D (with extra copies for the "Einsatzkommandos" and commanders of the Security Police and the SD).

Commander of the Security Police and the SD in the Government General SS-Oberfuehrer [Brig. Gen.] Dr. Schoengarth, Cracow.

Inspector of the border I—East—SS-Oberf. [Brig. Gen.] RuKD. Damzog, Posen

Higher SS and Police Chief SS-O'Gruf. [Maj. Gen.] Jeckeln, Riga
SS-O'Gruf. [Maj. Gen.] v. d. Bach, Mogilew
SS-O'Gruf. [Lieut. Gen.] Pruetzmann, Kriwoj-Rog

	SS-Brif. [Brig. Gen.] Korsemann, Rowno
	SS-O'Gruf. [Lieut. Gen.] Krueger, Cracow
	SS-O'Gruf. [Lieut. Gen.] Heissmeyer, Berlin
	SS-O'Gruf. [Lieut. Gen.] v. Woyrsch, Dresden
	SS-O'Gruf. [Lieut. Gen.] Schmauser, Breslau
	SS-O'Gruf. [Lieut. Gen.] Mazuw, Stettin
	SS-Gruf. [Maj. Gen.] Kaltenbrunner, Vienna
	SS-Gruf. [Maj. Gen.] Koppe, Posznan
	SS-Gruf. [Maj. Gen.] Undersecretary of State Frank, Prague
SS and Police Chief	SS-Brif. [Brig. Gen.] Schroeder, Riga
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	SS-Oberf. [Brig. Gen.] Moeller, Reval
	SS-Brif. [Brig. Gen.] Zenner, Minsk
	SS-O'Stubaf [Lieut. Col.] Hellwig, Shitomir
	SS-Oberf. [Brig. Gen.] Scherner, Cracow
	SS-Oberf. [Brig. Gen.] Wigand, Warsaw
	SS-Brif. [Brig. Gen.] Oberg, Radom
	SS-Brif. [Brig. Gen.] Katzmann, Lwow
	SS-Brif. [Brig. Gen.] Haltermann, Kiew

Reich Defense Commissioner for the "Wehrkreis" I c.o. RR. Witte oViA., Koenigsberg/Prussia

Reich Defense Commissioner for the "Wehrkreis" II c.o. RD. Buchholz oViA., Stettin

Reich Defense Commissioner for Lower Silesia in the "Wehrkreis" VIII c.o. ORR. Dreschhoff oViA., Breslau

Reich Defense Commissioner for Upper Silesia in the "Wehrkreis" VIII c.o. RR. Meyer-Tonndorf oViA., Kattowitz

Reich Defense Commissioner for the "Wehrkreis" XVII c.o. RR. Dr. Fischer oViA., Vienna

Reich Defense Commissioner for the "Wehrkreis" XX c.o. ORR. Brien oViA., Danzig

Reich Defense Commissioner for the "Wehrkreis" XXI c.o. RR. Mittendorf oViA., Posznan

Reich Defense Commissioner for the occupied Polish Territories Gov. Gen. Reich Minister Dr. Frank
c.o. ORR. Dr. Schepers oViA., Berlin

SS-Brif. [Brig. Gen.] Harms, Stettin (SS-Oberabschnitt [section] Baltic Sea)

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[p. 48]

SECRET [rubber stamp]
100 copies
69th copy

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[p. 49]

Report No. 11 of the activities
of the "Einsatzgruppen" of the Security Police
and the SD in the USSR.
(For the period from 1 March to 31 March 1942)

* * * * * * *

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INDEX

I. Garrisons.
II. Activities:
  A. Partisans
  B. Communists
  C. Jews
III. Feeling and attitude of the population.
IV. Movements for national independence.

* * * * * * *

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* * * released from arrest, accusations against them were suppressed and false identification papers made out for them.

A few days later *the former NKVD-Major Koschemijak* and his wife were *arrested.* They had tried to form a new NKVD-organization in Kiev and to organize terror and sabotage groups for the purpose of blowing up larger buildings and bridges.

The checking of villages and the screening of the population led continually to the arrest of political activists. After they had been given a hearing, they were shot.

At Yalta in the Crimea a new *unit of the communist youth organization,* just starting up, was *raided* and the leading woman was shot.

C JEWS.

The manner in which the Jewish question was solved differed very much at the various front sectors.

Since the largest part of the Eastern territory [Ostland] was free from Jews, and the few who remained and were needed for the most urgent labor projects, were located in ghettos, it was the main task of the security-police and SD to get hold of the Jews who were mostly hiding in the country. Several times Jews were seized who had left the ghetto without permission or who were not wearing the Jewish star.

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At Riga, among others, three Jews from the Reich, who had been assigned to the ghetto and had made a breakaway, were seized and publicly hanged in the ghetto.

In the course of some larger actions against the Jews, 3,412 of them were shot at Minsk, 302 at Vileyka, and 2,007 at Baranovitchi.

The population welcomed these actions since upon inspection of the residences, they had found out that the Jews still had quite a supply of food, while the food situation of the population was extremely bad.

Especially in the sphere of the *black-market* the Jews reappeared time and again. In the Minsk community kitchen, which was set up to feed the people and was managed by the city administration, *two Jews were involved in extensive embezzlements and briberies.* The food stuff thus obtained was sold on the blackmarket.

Another Jew was arrested under strong suspicion of espionage. The man in question was a well known sculptor and painter who, because he had made portraits of numerous German officers, had access to almost all the German troop units garrisoned at Minsk.

In the remaining territories of the Eastern Front, the duty of the security police and SD consisted in general clean up activities of larger villages, along with actions against individual Jews who put in a political or criminal appearance.

[Page 65]

Thus in Rakow alone 15,000 Jews were shot and 1,224 in Artenowsk, so that these places are free from Jews.

In the Crimea 1000 Jews and Gipsies were executed.

TRANSLATION OF DOCUMENT 3877–PS

Reich Regent [Reichsstatthalter] in Vienna Head Office
Teleprint Department
1/1 Ballhausplatz 2, U-24-5-20

28 May 1942

TELEPRINT LETTER 1087

COPY

Reichsstatthalter Vienna No. 1087, 28.5.1942, 20.35 hours.
To Reichsleiter Bormann.
Berlin,
Party Chancellery

Express—Urgent—Immediate attention

Dear Martin Bormann,

I request that the following be submitted to the Fuehrer:

Knowing the Czechoslovak population and its attitude in Vienna as well as in the Protectorate, I would draw your attention to the following:

The enemy powers and the British cliques round Benesch have for a long time felt bitterly regarding the loyalty to be observed generally among the Czechoslovak workers and their contribution to German war economy. They are seeking for a means to play off the Czechoslovak population and the Reich against each other. The attempt on Heydrich was without doubt planned in London. The British arms of the assailant point to parachuted agents. London hopes by this attempt to induce the Reich to take draconian measures for the purpose of creating a resistance movement among Czechoslovak workers. In order to prevent the world thinking that the population of the Protectorate is in opposition to Hitler, these acts must immediately be branded as of British authorship. A sudden and violent air attack on a British cultural town would be the most efficacious and the world would have to be informed thereof under the headline "Revenge for Heydrich". That alone should induce Churchill to desist immediately from plotting the outrages which have begun to occur in Prague. The

Reich retaliates for the attack at Prague by a counterattack on world public opinion.

It is proposed to give the following information to the Press tomorrow:

Regarding the attempt on Heydrich's life

Investigations have shown that the attempt on Heydrich was not made by Czechoslovak terrorists but by British agents. Parachutes and murderous weapons discovered were of British origin. It apparently involves four British parachutists who set out from London. One of these was injured on landing and was arrested. The authorities are on the track of the others.

Heil Hitler.
Your [Dein]
SCHIRACH

Sent: Rsthalter Vienna/Kloss,
Received: 28/5 2045 No. 1087 (45 zl) rvst bln/manczak
[stamp:] Reported and forwarded to:
(1) Regierungspraesident
(2) Reference....................
(3) Local Government
(4) Central office
on 9.15.1942 by: KS. 177 Z.

TRANSLATION OF DOCUMENT 3881-PS

Extract
from the Transcript of the
Proceedings before the People's Court [Volksgerichtshof]
of the Greater German Reich
7 & 8 August 1944

In the Great Plenary Hall of the Berlin Supreme Court
President: Dr. Freisler, President of the Volksgerichtshof
Deputy President: Guenther Nebelung, President of the Senate.
Honorary Assistant Judges: Gen. Reinecke (Infantry)
Garden technician & small gardener Hans Kaiser (Berlin)
Merchant Georg Seuberth (Fuerth)
Honorary Reserve Judges: Baker Emil Winter
Engineer Kurt Wernicke
Assisting Reporting Judge: Volksgericht Counsellor Lemmle
Reserve Reporting Judge: Oberlandesgerichtsrat Dr. Koehler
Prosecutors: Oberreichsanwalt (Attorney General) Lautz
Oberstaatsanwalt (Senior Public Prosecutor) Dr. Gorisch

Defense Counsel appointed by the President, Dr. Freisler,
Lawyer Dr. Weissmann
Lawyer Dr. L. Schwarz
Lawyer Justizrat Dr. Neubert
Lawyer Dr. Gustav Schwarz
Lawyer Dr. Kunz
Lawyer Dr. Falck
Lawyer Hugo Bergmann
Lawyer Boden

Defendants: Erwin von Witzleben
Erich Hoeppner
Hellmuth Stieff
Albrecht von Hagen
Robert Bernadis
Friedrich Karl Klausing
Peter Yorck von Wartenburg

Indictment: Participation in the attempt to assassinate Hitler on 20 July 1945.

[Page 54]

Von Hagen (a defendant): Mr. President, for me the situation was as follows: I did in fact have doubts that something was wrong. On one side was von Stauffenberg's statement. On the other stood my superiors who would have been put in a terribly difficult position at first if my report had been wrong.

The President: Now listen here. It is natural that criminals should be put in a terribly difficult position; their place is behind bars. One must see what is to be done with them. Did you have scruples about arresting criminals?

[Page 55]

Defense Counsel: I should also like to ask whether he did not feel limited by his position of subordination.

The President: But then he would have been perverted; for if one thinks that because one's superior is a criminal one must protect him, one is completeley perverted. * * *

[Page 117]

The President: Then you are also responsible for the orders. To agree to something subsequently and carry it on is exactly the same as to have drafted it beforehand; it is all the same thing.

[Page 158]

The President: Another person who acted dangerously and stands close to the attempted assassination is the defendant Klausing, a young officer who—I must say—follows the order of his superior officer with touching lack of reflection—an order to carry out which—or even to think out which—was a crime * * *

[Page 177]

The President: If someone who delivered the explosive remarks at this moment: "It is intended for an attack on the Fuehrer", one must ask whether any healthy man or woman would not have to say to himself or herself: to do nothing now is exactly the same as to have set the explosive off oneself.

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The President: Just imagine if Rehmer (Rehmer was given orders by one of the conspirators who was his superior officer but refused to obey them)—then a major, now a colonel—had thought: I have received an order, I couldn't! Imagine what would have happened! You cannot assume that when a German officer notices: "The explosive is intended for such and such a purpose", he will just say that one has to accept the thing, one can't do anything against it. In fact he must do something against it.

[Page 231]

The regime was to be overthrown.

A young officer Friedrich Karl Klausing! In April of this year, von Haeften, whom we already know, told him that Stauffenberg, Schulenburg, and others intended to overthrow the regime; the war had no chance of success; the preparations were in the hands of Stauffenberg; would he join in? And he replied: yes. On the 10.7. he was ordered to go and see Stauffenberg. He was told that he was to be escorting officer to go to Berchtesgaden—and that he knew what he was doing by this, the action was coming off. He did know what he was doing and he did not refuse. He did not report it. He went along as escorting officer; he was given the assignment of having the car standing by at the Berghof in Berchtesgaden and the plane on the aerodrome. He did that. Stauffenberg came out. He had not carried out the assassination, because the Reichsfuehrer SS had not been there. Four days later, on the 14.7., came a new order to accompany Stauffenberg to the Fuehrer's H. Q. He flew with Fromm and Stauffenberg. Stauffenberg stated that it could go on again this time. And again he was given the assignment of being sure to have the car and the plane standing by correctly. Again he did so. Again nothing came of it. On the 20.7. he was called to Colonel Merz von Quirnheim, who told him: "The Fuehrer is dead, disorder has broken out, no one may leave the Bendler block. 'Walkuere' comes into effect." He received orders to call out the sentries, to send out teleprints, to make telephone calls. He did all this and, in the evening, when the loyal development set in, he threw down his arms, went home and gave himself up the following morning. Certainly, he is young. But in this case youth is no excuse. Certainly, he had as his superiors terrible traitors. Certainly he had got into a ghostly company of traitors. But loyalty, the core of honor, should have proved itself here. No excuse is possible here. There can be no mitigation in this case.

[Page 233]

He spoke to us about his illness, discoursed upon the influence which Stauffenberg had on him. He should be a soldier and a true German! Here illness does not help, here to refer to another traitor does not help. Here it is only a question of: Loyalty or treachery of oneself. He chose the path of treachery. To him, also exactly the same applies as to all the others.

PARTIAL TRANSLATION OF DOCUMENT 3886–PS

[Vienna City Council Meeting—6 June 1942]

[Page 9 lines 13 to 30 incl.]

3. Reichsstatthalter *Reichsleiter Baldur von Schirach* expressed his gratitude to city treasurer *Dr. Hanke* for the work which had been done, above all for the success achieved during the conferences with the Reich Finance Ministry and the Reich Ministry of the Interior.

He informed the city councillors that as a result of a conference with Reich Minister for the Interior *Dr. Frick,* discussions will start shortly concerning the simplification of the administration of the cities of Berlin, Vienna, and Hamburg in order to give to those three cities a special position justified in this matter. This will also strengthen the municipal administration of Vienna although it has given rise to many complaints because of its complicated procedure.

A favorable factor, which is of great importance in the transformation of the municipal administrations, is that all offices of the city council are held by men who are closely linked to the party and consequently have their minds open to the right ideas.

Finally he disclosed that already in the latter part of summer or in the fall of this year all Jews would be removed from the city, and that the removal of the Czechs would then get under way, since this is the necessary and right answer to the crime committed against the Deputy Reich Protector of Bohemia and Moravia.

(Conclusion of the session at 12:33 hours.)

TRANSLATION OF DOCUMENT 3893–PS

VOELKISCHER BEOBACHTER
17 September, 1933, Page 1

The Jewish Question

The Minister had no doubt that the stupid talk abroad about purely internal German affairs, as for example the Jewish question, will quickly be silenced if one realizes that the necessary cleaning up of public life must temporarily entail individual cases of personal hardship, but that nevertheless it only served to establish all the more firmly the authority of justice and law in Germany.

COPY OF DOCUMENT 3894–PS

Interrogation of Hans Posse at Neumunster, Germany, April 12, 1946, 1340-1700 hrs; present, Lt. Bernard Meltzer, interrogator; H. Ganschow, Interpreter; Jean Holt, Reporter.

Questions by Lt. Meltzer to the Witness through the Interpreter:

Q. What is your name?

A. Hans Posse.

Q. Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?

A. I do.

Q. You were attached to the Office of Chief Plenipotentiary for the Economy in the German Government, were you not?

A. I was Secretary of State in the Department of Economy.

Q. Did you also have the job of Deputy General for the Chief Plenipotentiary for Economy?

A. I was not actually Deputy of the Minister of Economics, I was Secretary of State in the Ministry of Economics, but when the Minister was either sick or away too long.

Q. But there were two separate offices, the first the Ministry for Economics and the second a special Office known as the Plenipotentiary for the Economy?

A. No, they were not separate. The Ministry for Economics was at the same time Plenipotentiary.

Q. But the organizations were separate.

A. The civil servants and employees employed by the Ministry of Economics were also employed by the Chief Plenipotentiary for Economics. The staff of the Plenipotentiary was in general taken from the Ministry.

Q. To refresh your recollection, I ask you to look at a photostatic copy of Document EC-261 which refers to you as the Deputy General for the Plenipotentiary for Economy.

A. I was the Deputy Chief Plenipotentiary for Economy and I also deputized for the Minister when he was absent if he was not absent too long.

Q. When were you appointed Deputy General?

A. As far as I can recollect, the Ministry of Economics was transformed after Schacht had resigned and Goering took over the Ministry of Economics for a short time. In this time, Goering had transformed the Ministry of Economics and merged it with the Four Year Plan. During this time, I was appointed Deputy Chief Plenipotentiary for Economy, but holding at the same time my position as Secretary of State in the Ministry of Economics.

Q. Who appointed you Deputy General for Economy?

A. I think I was appointed either by Hitler or Goering.

Q. Funk didn't appoint you?

A. No.

Q. Did Funk confirm your position after he got into power?

A. No. Funk took over the Ministry for Economics from Goering and he was appointed as Chief Plenipotentiary for Economics.

Q. How often did you report to Funk in connection with your duties as Deputy General for the Plenipotentiary?

A. The Chief Plenipotentiary for Economy never really went into action.

Q. That is not answering the question.

A. You see, there were several German Ministries that had to deal with economy and the plan was to merge the economic departments of the various ministries and to have them "under one roof". At the same time when the Chief Plenipotentiary was appointed, a Chief Plenipotentiary for the whole German administration was appointed.

Q. We are very familiar with all that.

A. I intended to give an explanation as to why the Chief Plenipotentiary for Economy never functioned. When the Chief Plenipotentiary for Economy was appointed, the intention was to merge all the Economic departments of the German Ministries, such as Finance, Communications, Agriculture and Economy, under one roof. But the Ministers and the Secretaries of the various German Ministries disliked it and protested.

Q. But we have very clear-cut evidence that the Office of Plenipotentiary for Economy did function as an entity, separate from the Ministry of Economics.

A. Well, it did function, but it never achieved its purposes, because there was always discrepancy between the Chief Plenipotentiary for Economics' office and the other economic departments. They conflicted with each other.

Q. You mean the Plenipotentiary for the Economy and the Four Year Plan, don't you?

A. All the Ministries. For instance, the Ministry for Communication, Finance, etc., they all did not harmonize with the Chief Plenipotentiary for Economy, and there was no harmony between the Four Year Plan.

Q. What was the nature of the conflict between the Plenipotentiary for Economy and the Four Year Plan?

A. The struggle for power.

Q. The struggle for power between Funk and Goering?

A. The struggle for power between Funk and Goering, between Funk and the Ministry for Agriculture and Ministry of Communications.

Q. How was the struggle finally resolved?

A. Never. It was a struggle always continuing under the surface.

Q. Did Funk, who had very important powers as Minister of Economics and later as Reichsbank President and as Chief Plenipotentiary for the Economy, actually exercise these powers?

A. Yes. But the powers of Goering were stronger.

Q. Nevertheless, Funk did exercise important powers?

A. Yes. As President of the Reichsbank, Minister of Economics and Plenipotentiary for Economy.

Q. I want to go back to the question of the separate function of Plenipotentiary's office. I want to ask you to look at and read over carefully this document which I identify as EC-488. This is a photostatic copy of the original German document, captured by the US forces and it deals with planning for the use of prisoners of war. (Witness read document.) You have read that document?

A. I have.

Q. Do you have any reason to doubt its authenticity?

A. No.

Q. Did you participate in these discussions about the planning of the use of prisoners of war?

A. I cannot remember that I ever participated in any of the discussions concerning the document in question.

Q. That was very important and you were Deputy General, would not it have been likely that you did participate?

A. I cannot remember to have participated. I have never seen the document. It was signed by Sarnow.

Q. You worked very closely with Sarnow?

A. No, I did not. Sarnow is the man who expelled me from my position.

Q. When was that?

A. I was expelled in 1939—I cannot remember exactly when.

Q. Before you were expelled, what other problems were dealt with in the Office of Chief Plenipotentiary?

A. The purpose was to merge conflicting economic interests.

Q. With what end in view. Dr. Posse, is it not true that the Office of Plenipotentiary for Economy was set up in order to coordinate all economic activities with a view to preparation for war?

A. The purpose was what I just said. To coordinate the conflicting economic interests with the view to one end, but there was no question of the view being to prepare for war.

Q. Are you familiar with Reich Defense Law of 1935 and the second one of 1938 which established the Office of Chief Plenipotentiary for the Economy?

A. Yes, 1938, but not 1935. But in the Reich Defense Law of 1935 the Chief Plenipotentiary for Economy is not mentioned.

Q. That is not true. It is mentioned in the Law of 1935.

A. I cannot remember.

Q. You can take it, it was so. But I want to go back to the Law of 1938, which you do remember. That law on its face made it clear that one of the purposes for setting up both the Plenipotentiary for Administration, who was Frick, and the Plenipotentiary for Economy, Funk, was to coordinate the German Economy and German administration in order to prepare for war.

A. It is true that the purpose was to coordinate all economic questions, but not for the purpose of preparing for war. But, of course, if war preparations would become necessary, it was also the task of the Chief Plenipotentiary for Economy to deal with this question and to coordinate.

Q. And you, yourself, did deal specifically with the measures necessary for financing war, did you not? I want to refresh your recollection again by showing you a photostatic copy of a German document captured by the U. S. forces and marked as 3562-PS for purposes of identification. You will observe that that document is the Minutes of a Conference sent out over your signature and in the course of that meeting measures relating to the financing of the war were dealt with. (Witness read document.) You have read that document? Have you any reason to doubt its authenticity?

A. No reason.

Q. You recall the conference that this document records and summarizes?

A. I cannot remember participating in any of the conferences mentioned in the document and there was another Chairman for the conference mentioned in the document.

Q. You sent the minutes out over your signature?

A. The document you just gave me was sent out under my signature. I was not there, because I was ill.

Q. But, had you not been ill, you would have been present and would have been Chairman?

A. Yes.

Q. After you recovered from your illness, you studied these matters and took them up with Funk?

A. Well, it may be that I did, because Funk was Chief Plenipotentiary.

Q. And this was very important matter. Didn't you usually discuss important matters in the Plenipotentiary's office with Funk, your Chief?

A. Yes, I did. But much did not come out of it.

Q. But you did discuss them with Funk?

A. Probably, but I cannot recollect details.

Q. In general, you reported fully and frequently to Funk, didn't you, about the activities of the Plenipotentiary's office?

A. Yes, it was my job.

Q. What measures did you report to Funk about?

A. I reported to Funk all matters of importance.

Q. What was the nature of these problems. What matters were you dealing with in 1939?

A. For instance, the question of which goods should get priority of transport by rail.

Q. And how did you decide this question? What larger objective were you trying to achieve in your decisions on these questions?

A. To give priority to these goods which were necessary for the economy.

Q. And how did you decide what goods were necessary for the economy?

A. That depended upon the season. Whether seed potatoes or any kind of vegetables or food, or coal was the most necessary.

Q. Is it not true that in deciding these questions, the most important factors were rearmament and preparation for war?

A. There was always a conflict between the Ministry for Agriculture and the Ministry for Economics and the Chief Plenipotentiary for Economy always tried to bridge these conflicts.

Q. Do you want the record to show that the Office of the Chief Plenipotentiary for Economy, which under the law which set it up was directed to coordinate all of the economic forces in the interest of war, did not decide these questions with a view to achieving a strong economic basis for your armed forces?

A. Apart from the war preparations the daily requirements had to be dealt with.

Q. But Dr. Posse, many documents which we captured show that the attention of that office was directed at the economic measures necessary for war. I have shown you two documents here.

A. But I think that you must also have hundreds of documents where other questions are dealt with.

Q. But the primary purpose of that office was economic preparation for war, was it not?

A. Preparation for war was one of the main aims, but not the primary one. The essential aim was to reconcile conflicting interests. In trying to do this, the Chief Plenipotentiary failed.

Q. But you did not reconcile conflicting aims in a vacuum, you must have had a purpose to guide you in reconciling these aims?

A. It is reason enough that the economic departments of the various ministries did not harmonize with each other.

Q. Was not a large part of your duties, the duties of the Plenipotentiary's office, taken up with the drafting of decrees?

A. Yes, this was also part of our activities.

Q. What important decrees did you work on? Think carefully now. You must remember the really important ones?

A. I cannot recollect any details.

Q. Can you recollect in general? We have the decrees, the details, but we want your view of it.

A. As far as the food situation is concerned, the allocation of ration cards was prepared.

Q. In the course of your work you discussed from time to time, the international situation, did you not?

A. We never knew anything about the international situation and we did not learn or know anything about it, and when the international situation was mentioned in our discussions, we could only express our private opinions.

Q. But did not you and Funk discuss the international situation?

A. No.

Q. One of the important purposes of your work was preparation for war, and yet you carried on that work without discussing the international situation and the possibility of war breaking out?

A. Officially we had no news regarding the international situation.

Q. What were your private views, in June of 1939, when you worked on measures for financing the war?

A. We had always hoped that there would be no war.

Q. Did you ever discuss your private views with Funk?

A. Yes.

Q. When did you discuss these matters, do you recall? Spring, summer, 1939?

A. Spring and summer of 1939.

Q. And what views did Funk express?

A. Funk was as anxious as I was and as much scared as I was concerning the outbreak of a war. I wrote a memorandum against the war and handed it to Funk, suggesting that he pass it on to Hitler, but Funk did not hand it on to Hitler because he thought that it would not impress Hitler.

Q. What did you put in your memorandum?

A. That we cannot wage a war against the whole world.

Q. Did you expect at that time to wage a war against the whole world or against Poland?

A. I believed that if there had been a war between Germany and Poland, a world war would have become inevitable. I knew England—I had to deal with a lot of English government officials.

Q. Did Funk agree with you?

A. I don't know.

Q. Did you discuss these matters? What was his reaction?

A. Funk said to me, even if the statements in your memorandum are correct, I won't pass them on to Hitler, because Hitler won't take any notice of them.

Q. But did Funk indicate whether he thought these views were correct?

A. I think he agreed with me, because we never disagreed as far as economic matters were concerned.

Q. Did he say that he agreed with you in so many words?

A. I cannot remember. Funk may have hinted he agreed with me.

Q. When did you write this memorandum?

A. In 1939.

Q. What part of the year?

A. Early summer, perhaps.

Q. You told us earlier that you knew nothing about the international situation, why did you write this memorandum?

A. I was afraid of the development of things.

Q. How did you know about the development of things?

A. I learned about the development from the newspapers.

Q. And from your newspapers you thought that a war against Poland would break out, which would become a World War?

A. Of course, the German newspapers did not indicate that a war against Poland had become inevitable, but I could read it between the lines.

Q. Did you keep a copy of your memorandum which you sent to Funk?

A. The copy was destroyed—burnt—in an air raid.

Q. Did you collaborate with Funk in the measures he took to safeguard German gold and foreign exchange abroad in preparation for war?

A. I never was an expert regarding financial matters.

Q. But did you collaborate in these matters?

A. No it was not my duty, but came under the jurisdiction of the Reichsbank.

Q. Did Funk either before or after that memorandum ever talk to you or his staff about his general view of the international situation?

A. No.

Q. Not privately?

A. No, he never did and they, in their capacity as civil servants, never learned anything regarding the international situation.

Q. Except from the newspapers?

A. Yes.

Q. And you as a subordinate of Funk's were willing on the basis of the newspapers and no other information to address a memorandum to the Fuehrer which, in effect, said that the course the Fuehrer was taking was wrong?

A. We discussed the international situation very often when we, in our capacities as civil servants, were by ourselves, and we considered it necessary to warn the Fuehrer.

Q. What people did you mean when you said "we"? What were their names?

A. With my colleagues and the members of my staff.

Q. How big staff did you have?

A. Twenty or thirty members—all professional people.

Q. You were still in the Plenipotentiary's office after the war broke out, were you not?

A. I was removed immediately after the war broke out—August or September.

Q. And who was responsible for your removal?

A. It was Goering who disbanded the institution of the Chief Plenipotentiary for Economy.

Q. Why were you not transferred to the Ministry of Economics, as a State Secretary?

A. I maintained my position as Secretary of State in the Ministry of Economics and held that position until the capitulation. But before the war, I was only Secretary of State in the Ministry of Economics, and after the war broke out I was only the second secretary of state, without functions, and a first secretary was appointed.

Q. Who?

A. First Brinkmann and then Landfried.

Q. You say that you had no functions whatsoever?

A. No—only in the year 1941 when I was appointed Reichskommissar of the Unilever Company.

Q. Where were your offices then?

A. In Unilever House, Berlin.

Q. Unilever was an English/Dutch company?

A. Yes.

Q. Are you familiar with the economic policies which were laid down for the occupied territories?

A. No.

Q. So until 1941 you were in the ministry of Economics and, in time of war, you had no function whatsoever?

A. Yes, I was Chairman of the board of Directors in some joint-stock companies in which the shares were owned by the Reich.

Q. But you had no Ministerial functions yourself?

A. No.

Q. Are you familiar with what persons in the Ministry of Economics were responsible for determining the economic policies for occupied territories?

A. I knew the Secretary of State; my colleague Landfried.

Q. He was, was he not, involved in the setting of policy for the occupied territory?

A. No, it was not Landfried, but the Minister Funk.

Q. Do you know that Funk did lay down these policies?

A. Funk could not do it on his own—the Ministries of Finance, Agriculture, etc., were also involved.

Q. How did Funk run his Ministry, did he have a tight hold on it, or did he delegate the work to his State Secretaries and Chief Assistants and allow them to carry it on?

A. I only gave my private views, because at that time I was not enough concerned with the business in the Ministry of Economics.

Q. Surely you were in the Ministry and you talked to your colleagues—you must know how the Ministry was run? We are interested in your views, whether private or otherwise, so long as they are the truth.

A. Funk only dealt with important matters because there was too much work for him. Apart from his position as Minister of Economics, he was also President of the Reichsbank.

PARTIAL TRANSLATION OF DOCUMENT 3914–PS

[Page 1]

SECRET

NOTES ON THE REICH DEFENSE COMMITTEE SESSION OF 17 SEPTEMBER 1940

Reichsleiter von *Schirach* opens the session with words of welcome to the persons present, declaring in his introductory words that nobody should think that one could expect an early end of the war under any circumstances, but one must on the contrary be prepared for a protracted war in any case, in order to avoid disappointments. He expressed his intention to call in the Reich Defense Committee more frequently in the future than had been done lately.

* * * * * * *

[Page 2]

It must be said in regard to armaments that there was such masses of machinery and raw materials from the occupied areas at our disposal, that in case of a protracted war there would be a bottleneck even in the Ostmark only in the lack of manpower.

One should therefore:

1. Prevent any further removal of manpower from the Ostmark in the way of Reich adjustment. This would not always be fully feasible, particularly in case of sudden demands for special occasions, but should be limited as much as possible.

* * * * * * *

[Page 3]

2. Efforts should be intensified to have foreign manpower and prisoners of war transferred to the Ostmark, for which preparations have already been made by the Armament Inspectorate.

3. Building activities should be restricted in order to save manpower, even in the armament industry itself; the Armament Inspectorate should exert its authority to this end.

4. Industrial managers should act with greatest conscientiousness when requesting manpower. It should be mentioned in this connection that Reich Minister Todt has even threatened with a prison term the industrial managers failing in this duty.

5. Trained forces should be won by protracted furloughs.

[Page 1]

SECRET
NOTES
ON THE SESSION OF THE REICH DEFENSE COMMITTEE OF 26 NOVEMBER 1940.

Committee members on the enclosed list are present.

The chairman, *Reichsleiter von Schirach,* opens the session with words of welcome. He greets his new representative, Regierungspraesident Dr. Dellbrugge, and thanks Ministerial Counsellor Habermann for his work achieved hitherto in the capacity of his representative.

He transmits the gratitude of the hitherto deputy commanding general, Infantry General von Stulpnagel.

Then he greets Infantry General Streccius.

* * * * * * *

[Page 14]

The president of the provincial labor office Proksch speaks about labor commitment and social conditions in military district [Wehrkreis] XVII.

Labor commitment continues to be under great tension.

The situation in the textile industry is critical. The number of persons employed was reduced to 60%. Available workers are no longer fully employable. Production of civilian goods has been greatly restricted and remains questionable. Furloughs from the army for labor purposes have now reached the number of 160,000 men. In October 500,000 recruits were inducted. There will be a repetition in February.

The state of unemployment is showing a backward trend. With 6,740 unemployed (5,216 in Vienna), military district XVII stands third in the entire Reich. It should be mentioned, however, that among the unemployed, particularly in Vienna, many Jews are to be found. The Jewish question will be decisively grappled with at an early date. Oberdonau [Upper Danube] has declared itself willing to take over 1,500 unemployed Jews. Service obligations reached 2,578 in October. Thanks to the cooperation of all agencies concerned, the military district was able on the whole to free itself from service obligations. The service duty men who are employed number 7,861, in Vienna 4,649. Prisoners of war assigned to work in October have reached the number of 6,755, in Vienna 1,311. All in all 35,875 prisoners of war are occupied. A regrouping has been undertaken among the PW's. The agricultural PW's have been inducted into industrial economy. Of course in the spring these PW's will be returned to agriculture.

[Page 1]

21 April 1941.

The Reich Defense Commissioner for Military District XVII
Z—RVK—1010B—164/41 secret

SECRET
NOTES
ON THE SESSION OF THE REICH DEFENSE COMMITTEE OF 5 APRIL 1941

Committee members on enclosed list are present.

After cordial words of welcome by the Reich Defense Commissioner, Reichsleiter B. von Schirach, he gives the floor to the head of the Gau office, Mayerzedt for his report on food questions.

* * * * * * *

[Page 6]

The Reichsleiter remarks in this connection that the still missing 5,000 workmen for Niederdonau [Lower Danube] and Oberdonau [Upper Danube] must be somehow obtained. Only a part can be found among PW's. The other part must be obtained from authorities and agencies that can do agricultural work. Schools may also have to be closed and the children sent to the country.

Gauleiter Eigruber proposes to draw manpower from large concerns for about two weeks.

General Streccius declares that he can provide 2,400 PW's. But that is the highest number. A greater number could be reached if it were possible to circumvent the Geneva Convention. Among the PW's are 10,000's of noncommissioned officers, who refuse to work and cannot be forced to do so. If our side uses force there probably would be countermeasures against our own PW's. Only through enlightenment could anything be achieved.

[Page 1]

SECRET

NOTES

ON THE SESSION OF THE REICH DEFENSE COMMITTEE OF 14 OCTOBER 1941, 11:00 O'CLOCK UNDER THE CHAIRMANSHIP OF REICHSLEITER AND REICH GOVERNOR BALDUR VON SCHIRACH

The Reischleiter opens the session and thanks the gentlemen for their presence.

* * * * * * *

[Page 8]

General Streccius speaks about the employment of PW's, giving their number at 101,000. Of these, 5,200 are Belgian, 63,000 French, 23,000 Yugoslavian, 3,000 Polish, and 7,000 Russian. Employed in industry are 28,700, in agriculture 41,400, with Luftwaffe and Navy 11,400. To that should be added the Ostmark airplane motor works [Flugzeugmotorenwerk Ostmark]with 3,200, which will obtain an additional 2,000.

5,000 Russian PW's are on their way, 2,000 have already arrived. 20,000 additional PW's are to come, whom it will be our obligation to feed. Thus, 30,000 Russians have reached Military District XVII. 2,000 Russians are employed at airfields, and further employment of 5,000 Russians is anticipated in order to relieve the French PW's. All reports up to the present indicate that the Russian PW's are extremely willing to work, but not efficient, because of undernourishment. In order to increase their efficiency, they are receiving weekly: 2½ kilograms of bread, 300 grams of meat, 130 grams of fats, 8½ kilograms of potatoes, half of them replaced by turnips.

* * * * * * *

[Pages 11 and 12]

The president of the provincial labor office Proksch reports on the labor commitment situation.

The labor commitment situation is under great tension. There is a considerable shortage of trained labor and permanent workers in agriculture. There exists an unfilled need for about 80,000 workers, due to:

1. a considerable expansion of individual concerns,

2. The reestablishment of businesses transferred to Vienna and Niederdonau,

3. the abolishment of indispensable positions and the draft into Wehrmacht service of men of the classes of 1922 and 1923,

4. increasing breaches of contract, increased sickness, and

5. the departure of Jews who are lately being deported to Poland (about 5,000 workers).

* * * * * * *

Excerpt from discussion following the meeting of the Reich Defense Committee:

[Pages 4 and 5]

More Russian PW's have arrived in the last few days. Experience has shown that a great majority of these people have become to us utterly foreign beings due to the habits of Communism. These PW's do not have a high regard either for their own life or for their neighbor's Thus special caution is advisable when associating with these PW's. Any panic-spreading rumors in this respect, however, should be put down. The prisoners' mood is considerably influenced by the distribution of food. It may be assumed that their willingness to work is heightened thereby. All agencies handling Russian PW's agree, however, that they are all willing to work, even if not efficient enough due to undernourishment.

SECRET

Vienna, 27 October 1941

The higher SS and Police chiefs with the Reichsstatthalter in Vienna in Upper and Lower Danube Military Area XVII
The Inspector of the Ordnungspolizei
Abt. RV/L—(1)—5236—No. 837/41(g).

SUBJECT: Evacuation of Jews from the Old Reich and the Protectorate

REFERENCE: Chief of the Ordnungspolizei of 26 October 1941 Kdo. g. 2 (01) No. 514 II/41(g).

I am forwarding for your information and further action the enclosed decree of the Chief of the Ordnungspolizei, mentioned above, concerning the evacuation of Jews from the Old Reich and the Protectorate. The request of the Security Police (Sicherheitspolizei) concerning the disposing of control supervisory forces according to paragraph 2) of the decree are to be granted. Report to me the position of the Begleitkommandos.

Enclosure

By order:

[signed] Megel
[seal] certified
[illegible]
Meister der Schutzpolizei

Distribution

Pol Praesident, Vienna	
Kommando of the Schutzpolizei	1 copy
Abt. W.	1
For information	
Commissary for the defense of the Reich	1
Reichsstatthalter in Nd.	
Staffofficer of the Schutzpolizei	1
Reichsstatthalter in Od.	
Staff officer of the Schutzpolizei	1
RV/L	1

[seal]
29 October 41
224/515/41 g

SECRET
LETTER BY SPECIAL DELIVERY

Berlin 24 October 1941.
NW, Unter den Linden 74.

Chief of the Ordnungspolizei
Kdo. g2 (0 1) No. 514 11/41(g).
Subject: Evacuation of the Jews from the Old Reich and the Protectorate

1. During the period from 1 November to 4 December 1941, 50,000 Jews from the Old Reich, the Ostmark and the Protectorate of Bohemia and Moravia are to be evacuated by the Security Police to the East in the region around Riga and Minsk. The evacuations are to take place in transport trains of the Reichbahn of 1,000 persons each.

Distribution:

(a) The Commanding Officers (Jnspekteure) of the Ordnungspolizei in Berlin—Hamburg—Hanover—Muenster—Kassel — Nurnberg — Stuttgart — Munich — Vienna — Breslau — Prague—Riga with 5 extra copies each.

For information

(b) The higher SS and Police Chiefs Spree—Northsee—Center West—Fulda-Werra—South and Main—South west—Danube South east — Bohemia and Moravia — Breslau — Prague—Ostland in Berlin—Hamburg—Brunswick—Duesseldorf — Kassel — Munich—Stuttgart—Vienna—Breslau—Prague—Riga.

(c) The Police president in Berlin.

(d) The Chief of the Security Police and the SD.

The transport trains will be made up in Berlin—Hamburg—Hanover — Dortmund—Muenster—Dusseldorf—Cologne — Frankfurt/M — Kassel — Stuttgart—Nurnberg—Munich — Vienna—Breslau—Prague and Bruenn.

2. On the basis of the agreements between the Chief of the Security Police and the SD, the Ordnungspolizei is taking in charge the guarding of the transport trains by providing an escort Kommandos 1/12 in number. The details are to be worked out with the competent officers of the SD.

The duty of the escort Kommandos has been fulfilled with the due transfer of the transports to competent Officers of the Security Police at the points of destination. Then they return without delay to their home offices.

3. Expenses incurred through provision of the escort Kommandos are borne by the Chief of the Security Police. At the

end of the transport, the expense account of the Police administration must be handed in to the chief of the Security Police.

[signed] DALUEGE
Certified
[illegible]

1—for personal Ds graf—[illegible pencil notation]
2—for files
29 October 41

TRANSLATION OF DOCUMENT 3927-PS

NATIONAL SOCIALIST GERMAN LABOR PARTY
GAULEITUNG VIENNA

[Red Pencil Mark]
SECRET

4 Am Hof,
Vienna 1. Tel. 23-5-90, U 21-5-30
22 January 1941.

The Deputy Gauleiter:
[Pencil mark: partly illegible]
To Dr. Kramer with the request of taking cognizance.
Our File No.: Sch/G. Your file no:
[pencilled note, partly illegible,]
2/ I a Pot (Dr. Graf) Secret act
Subject: Monasteries.
To:
Regierung President Dr. Dellbruegge
2 Ballhausplatz
Vienna 1.

Dear President:

I am enclosing for your information a very confidential teletype letter of the deputy of the Fuehrer.

Today I submitted the teletype letter to the Reich Leiter who wishes it carried out most swiftly.

With reference to our discussions on this subject I request that you keep me posted on your planned measures. On behalf of the Party I shall take the liberty of submitting proposals to you very shortly. Gebietsfuehrer in the Hitler Youth Major General Pg. (Party member) Kowarik informed me that Vienna had the possibility of getting an Adolf Hitler school which Hamburg is also striving to obtain. The Reich Leiter attaches great importance to Vienna's being successful especially in this quest. The monastery Klosterneuburg should be considered for the establishment of the Adolf Hitler school because of its size and the propinquity of sport places.

I request that you especially have in mind this individual case. I have asked the Gebietsfuehrer to get in touch with you immediately since according to my knowledge the time is very urgent in this matter.

Heil Hitler!
[signed] Scharizer

[Stamp:] National Socialist
German Labor Party
Gauleitung Vienna

1 enclosure.

(Copy)

13 January 1941 1530 hours

Fuehrer Construction.
Reich Leiter M. Bormann to all Gau Leiters.
Strictly Confidential

It has been found that the population does not show indignation if monasteries (convents) are used for what appears to be generally appropriate. A generally suitable use would be a conversion into hospitals, convalescent homes, national political educational institutes or Adolf Hitler schools, etc. Far reaching use should be made of these possibilities.

[signed] Reich Leiter M. Bormann

Express Letter [Schnellbrief]

Telephone A–17–5–80
4 Morzinplatz
Vienna 1.
23 January 1941

Secret State Police
(Geheime Staatspolizei)
State Police Directorate Vienna
Staatspolizeileitstelle Wien
B. No. 517/40 II B 1
Kindly note above File No. and date in reply
To the Reichsstatthalter in Vienna
Attention Regierung President Dr. Dellbruegge
Ballhausplatz Vienna 1.
Subject: Augustinerchorherrnstift Klosterneuburg.
Action: Oral order of 23 January 1941.
Enclosures: 1 fastened.

The Augustinerchorherrnstift Klosterneuburg was founded by Leopold III of Babenberg in 1106 and is considered one of the wealthiest monasteries of the Ostmark. The enlarged monastery building was erected in 1750. It comprised a Romanesque church of the 12th century with an early Gothic Archway and the so-called Verduner altar of 1811, a treasure room containing the hat of the Austrian arch duke, and a library of 120,000 Volumes and 2,000 manuscripts and incunabula. Worth mentioning are also the gallery of paintings and collection of coins as well as a theological private teaching establishment. The cellar rooms of the monastery with the giant barrel comprising 1000 kegs are widely known.

However, the most valuable property of the monastery may be its large real estate. On 1 January 1937 this real estate was estimated at about 82,000,000 "square meters" outside Vienna and at about 9,000,000 "square meters" in the Vienna city area.

After the World War the monastery leased a part of its real estate especially that in Klosterneuburg and Floridsdorf to small settlers. The contracts were so unsocial that the lessees were forced to pay about five times as much as was customary in such cases in the Alt Reich (the old, former Reich). This state of affairs led finally to an agreement between Gauleiter Buerckel and the monastery to the effect that about 1400 hectars of leased land were handed over to the Party. The revenue from this leased land Gauleiter Buerckel gave to the Fund of the German Mother ["Fonds der deutschen Mutter"] founded by him. In this connection it is worth mentioning that it was only after lengthy negotiation and after its previous unsocial conduct had been repeatedly pointed out that the monastery seems to have found itself prepared to make this concession.

It is known furthermore that the Chorherrenstift Klosterneuburg owns several properties in Hungary. It is believed that on the property Duna-Almas a great new building was erected in 1938 which contains about 100 rooms and which is said to have been erected at the cost of about 200,000 Pengoes. Further known are the landed estate of Neszmely and the meadow land of Sur, Repcze, and Czatar in the district of Vestzprom as well as the meadowland of Nagy Gyon and Meserczer in the district of Stuhlweissenburg. These estates are estimated at a total area of about 15,000 Hungarian "Jocks". In connection with the building of the hotel the suspicion of having dealt illicitly with foreign currency was expressed. However, in the opinion of experts, the estates in Hungary yield revenues in such great amounts that such a new construction seems possible with their own means.

As a Catholic stronghold the monastery was closely connected with the past political system. It is known that the present prelate was an intimate friend and political follower of the mayor [Systembuergermeistee] of the city of Vienna, Schmitz. Beyond this, other members of the monastery also appeared in a manner injurious to the state. The repeated convictions of members and employees of the monastery for crimes against nature caused special sensation.

The prelate of the monastery Alipius Josef Linda was denounced by his former valet for his asocial conduct. Linda is also said to have repeatedly called his valet in the charwoman's presence the most abusive names such as "idiot, fool, liar, bum, blockhead, mule, ape" and similar names. The valet stated further that Linda has a picture of the Fuehrer put up only if an officer of the Party or prominent personalities are expected. Linda is said to have expressed himself toward his valet to the effect that he is well supplied with shoes and undergarments and the war for his part may last another few years.

The member of the monastery Dr. Pius Parsch, born in Neustift near Olmuetz on 18 May 1884, has become known through his so-called folk liturgical church congregation [volksliturgische Kirchengemeinde]. In the rooms of the St. Gertrude chapel which belonged to the monastery he conducted liturgical masses and Bible hours. Parsch and other prebendaries try to use these occasions, since the political change for the purpose of influencing the youth in order to keep them away from the Hitler Youth service.

The prebendary and professor of religion of the monastery Roman Karl Scholz, born in Maerisch-Schoenberg on 16 January 1912 was arrested on 22 July 1940 on grounds of preparing for high treason and brought before the court. The proceedings against him have not as yet been concluded.

Scholz was the "chief" of the "Freedom Movement Austria" [Freiheitsbewegung Oesterreich] which, together with the "Greater Austrian Freedom Movement" [Gross-Oesterreichische Freiheitsbewegung] and a number of other subversive secret organizations, had as its goal the splitting up of the Greater German Reich. After the defeat of the German Reich in this war which was taken for granted and the ensuing collapse, the separation from the Reich and the reestablishment of a Greater Austrian Reich within the frame work of the former Austrian-Hungarian monarchy was to be brought about. For this purpose an organization was built up which did not deal only with propaganda from mouth to mouth and the distribution of pamphlets and leaflets, but which also concocted plots against vital plants and military objectives. According to his own confession Scholz founded this movement under the title of "German Freedom Movement" [Deutsche Freiheitsbewegung] as early as the fall of 1938. At that time he gathered about himself a circle of like-minded people which was composed particularly of intellectuals and students. He recruited especially people who were known to him from his activity as professor of religion and educator of youth. Furthermore, he conducted Bible classes in the Chorherrenstift Klosterneuburg and influenced the participating persons to his way of thinking; he also repeatedly kept several participants who at the same time were also members of the "Freedom Movement Austria" [Freiheitsbewegung Oesterreich] after these Bible lessons in order to hold discussions with them in the spirit of this movement. Independently from that, Scholz also told members of the movement to come into his apartment located in the monastery in order to discuss with them the projected terroristic acts. In this connection it is to be emphasized that a great part of the persons who belonged to the "Freedom Movement" were former students of the monastery Klosterneuburg.

To the members of the "Freedom Movement Austria" belonged also the private employee Alexander Heribert Ziegler, born in Klosterneuburg on 2 December 1911 who works in the monastery's administration as an employee. He could further be convicted of having maintained the existence of the Catholic-German fraternity "Arminia" which had been dissolved after the political change ["Umbruch"] and of having promoted the aims of this fraternity by arranging for meetings with other former members.

A concrete proof of the fact that other members or persons of the Chorherrenstift Klosterneuburg also knew about the existence of the "Freedom Movement Austria" or, promoted Scholz' subversive activity and attitude could so far not be furnished. However, it seems almost impossible that these meetings and discussions should not have been noticed. The priest Karl Krajatsch, born in Iglau on 8 August 1902, also a member of the Chorherrnstift in an inn ("Heurigenschenke" i.e. an inn where this year's wine is to be had) in Tattendorf, made the remark that all National Socialists are fools. He was sentenced to one year in jail ["Kerker"] by the Landgericht in Vienna for a misdemeanor against the law concerning Malice ["Heimtueckegesetz"].

Against the member of the Chorherrenstift, the priest Vinzenz Oskar Ludwig, born in Niederhillersdorf on 18 June 1875, charges for suspicion of forgery of documents were preferred by the Directorate of the Criminal Police of Vienna. Ludwig became known for the fact that he baptized an enormous number of Jews after the political change ["Umbruch"]. He is suspected of having accepted for baptizing up to RM 600.00. It is true that the proceedings were discontinued.

The Chorherrenstift Kloster is particularly known for several cases of crimes against nature which have occurred there in the course of the last 4 years. For instance the sexton Adolf Jungbauer, born in Pressbaum on 2 May 1886, was sentenced to 7 months in the penitentiary ["schwerer Kerker"] for this crime because he committed it against an acolyte of the monastery.

Furthermore, the sexton of the monastery Ludwig Melik, born in Joslowitz on 22 February 1900, who at the same time was Gau Leader of the Reich Association of the Catholic-German Youth of Austria ["Reichsbunder katholisch-deutschen Jugend Oesterreichs"], was sentenced to a year in the penitentiary ["schwerer Kerker"] on 1 August 1938 because he misused members of the Reich Association homosexually in the rooms of the monastery after inducing them to permit his unnatural actions especially by promising them work or a promotion.

The member of the Chorherrenstift Professor Wilhelm Fassl, born in Litzelsdorf on 16 July 1899, was sentenced on 20 June 1938 to 7 months in the penitentiary ["schwerer Kerker"], intensified by a day of fasting in each month in jail, for crimes against nature and for seduction to such crimes. Fassl committed crimes against nature with the monastery sexton Franz Buzek, born in Klosterneuburg on 24 September 1915 who at the same time was sentenced to 2½ months in prison ["strenger Arrest"] and with two acolytes. On the occasion of the trial before the court of appeals Fassl's sentence was increased to 18 months in the penitentiary upon the consideration that his guilt was aggravated by the fact that Fassl seduced persons who had hardly passed the youthful age to commit actions against nature and that he had continued his relationship with them for years.

In this connection the branch Klosterneuburg of the Directorate of the Criminal Police of Vienna learned the following:

The two acolytes involved in the case against Fassl were at liberty before the trial. During that time they had a discussion with Kanzlei Director Friedrich and later with Prolate Linda on which occasions they pointed out that more cases of crimes against nature had occurred between them and two other canons. The Kanzlei director and the prelate are said to have declared their willingness to reward the acolytes' reticence with financial support and the promise of giving them employment after their having undergone their term of imprisonment. Actually, the two are said to have received in installments altogether RM 120–130 before the trial. During that time the accused canons were transferred to one of the estates in Hungary. After the two had been brought into safety, the canons discontinued any further payment.

The monastery is also the camouflaged proprietor of the Bernina, the Folk-Liturgical ["Volksliturgischer Verlage"] and the St. Augustinus Publishing Houses ["Verlag"] as well as of the book store "Liturgia".

The publications of these publishing houses were repeatedly confiscated for their subversive contents, especially for glorification of Judaism.

[signature illegible, possibly Huber or Huhn]
The Reichsstatthalter in Vienna

[Editor's Note: The following statement is handwritten]
(1) Note: According to a consultation with Oberregierungsrat Dr. Kreis (Z. R.) title of the agency to be used is "The Reichsstatthalter in Vienna—Municipal Administration", not "Reichsgau Vienna—Municipal Administration" because the municipality of Vienna in its function as authority is concerned.

I,2 Ballhausplatz.
22 February 1941

I a RV–6009–127/41
(2) To the
Augustiner Chorherrenstift Klosterneuburg
Attention: Abbot Alipius Josef Linda
Klosterneuburg.

ORDER:

Subject: Taking over in accordance with the Law of Housing Public Offices.

On the basis of the Law of Housing Public Offices, Gesetzblatt for the State of Austria, No. 278 1938 the monastery Klosterneuburg belonging to the Augustiner Chorherrenstift Klosterneuberg, is taken over for the purpose of establishing and housing an Adolf Hitler school and assigned to the Reichsstatthalter in Vienna—Municipal Administration—without a stipulated time period.

Subject to the taking over are the monastery building plus secondary buildings with all rooms located in these buildings, all the furniture constituting the accessories of the monastery, the court-yards and garden grounds in so far as they are situated in the former municipal district of Klosterneuburg and are directly, locally, connected with the monastery.

Exempted from being taken over are only the rooms serving purely ecclesiastical purposes; other rooms and real estate which at the time this Order is delivered are rented or leased, in so far as they are not needed for housing the Adolf Hitler school. The buildings and parts of buildings are to be handed over within 14 days after this Order is delivered.

As compensation for the usage the Reichsstatthalter of Vienna —Municipal Administration—must bear the cost accruing from maintenance and operating of the confiscated buildings and parts of building, and the taxes and assessments for same.

REASONS:

The buildings and parts of buildings taken over are not sufficiently used and are not needed for the monastery's tasks as regards worship and administration. A fraction of the presently occupied rooms will be found to be sufficient for these purposes and the monastery can easily get the needed rooms in the houses and buildings remaining to it.

On the other hand, there exists an urgent need for taking over the demanded real estate for the establishment of an Adolf Hitler school which at present cannot be housed more favorably.

The fixed compensation appears adequate.

INSTRUCTION ON LEGAL REMEDIES:

An appeal to the Reichsminister of the Interior against this Order is admissible and must be submitted to me in writing within 2 weeks after delivery of this Order and which must offer reasons for the appeal. Insofar as it is directed against the assignment of real estate, the appeal has no postponing effect.

[stamp:]
Copy
10 Sept. 1942

[stamp:]
Teletype message
Reich Governor in Vienna
Received 10 September 1942 23.07 by Hi.

"Eherverlag" Berlin
To the Reich Governor in Vienna.
No 2322 10 September 1942 11 23.07
The Reich Governor in Vienna

For the editorial staff of the "Schwarzes Korps" [Black Corps] we are transmitting to you the following article of Gebietsfuehrer Kaufman, which we already transmitted tonight by telephone.

HOW MUCH DOES YOUTH COUNT TODAY?

A high-ranking officer recently arrived in Berlin from Sevastopol and declared openly: "Gentlemen, this fortress was overpowered by 19-year-old soldiers, the very same we saw 4 years ago in short pants, marching through our cities with the song on their lips: 'Yes, the flag is more than death'".

That statement of an old soldier means: The entire weight of this war lies on the shoulders of youth. Lads are fulfilling in fighting what boys promised in their singing. The National Socialist Movement has brought up a young generation, filling them with faith and self-denial, with endurance and fire, so that the signs of victory cannot slip from our hands.

And Aunt Emma fell silent. She has heard how dreadfully the Bolshevists have brought up their youth, so that out of 10 children 2 or even 3 died from dirt and disease, while the remaining seven became tough weather-beaten fellows who can withstand hunger and cold, can move like wildcats in the open and shoot like devils. Aunt Emmà is also of the opinion that it was unwise when in 1938 her Karl did not return home from the Hitler Youth service until 11:00 at night or when some too keen and a "much too young" leader made a night march with his enthusiastic tots.

Again and again do we now hear from the very same countrymen of ours, who before the war kept calling up the authorities and imploring them to free their young son from service, because it was too hard for him—that it was a mistake not to have brought up our youth in a still harder and more Spartan way in peacetime. Just as the same spirits who formerly rejected the principle of youth being led by youth because of too early a development of self-assertion, doubtfully shaking their heads over 16-year-old platoon leaders ["Faehnlein Fuehrers"] today praise the prudence and maturity of the youngest lieutenants or are full of admiration for the lads who under a shower of bombs during British air raids are giving valuable aid at the risk of their young lives.

TRANSLATION OF DOCUMENT 3931–PS

Teletype No. 85

Forwarded to
Obergebietsfuehrer
Schluender
on Aug 15, 41 2035 by Hi
Sender: Adjutant's office
Received on August 15.41 at 2030 by Hi
Reichsstatthalter Vienna No. 85 August 15, 41 2035
To Obergebietsfuehrer Schluender, Berlin
The following note was sent today:
To the Chief of the Chancellery of the Party Reich Leader Bormann—Munich 33, Fuehrer Building
Concerning: Premilitary training
Dear Party Member Bormann,

I have taken note of the treatise of the SA high command which was sent to me. In connection with this I want to inform you of the following:

The attitude expressed in Obergruppenfuehrer Juettner's statement is in its contents so contradictory to the actual educational work of the Hitler Youth, that I cannot believe that this is the opinion of the SA Chief of Staff, but rather am convinced that its point of origin is Obergruppenfuehrer Juettner's wish to create new forms of activity in the SA. Since the treatise is drawn up in such detail, I am going into this matter fundamentally first of all.

Presumably the Chief of Staff of the SA can "no longer see the development of the education of youth in the interest of the common idea within the Party remain inactive and in the premilitary defense training he especially misses the manly and soldierly performance by the young man".

To this the following:

Concerning the position of the youth in relation to the Party I do not in the least feel induced to assert with regard to the Chief of Staff of the SA that for years the Party continuously has thrown difficulties in his way and he has finally been obliged to seek recourse with the Army in order to obtain there a new proposition which had not been made by the SA. (Report by the Chief of Staff to the Reich Youth Leader.) You personally know, dear Party member Bormann, that unfortunately the Chief of Staff has acted in the spirit of this assertion and that some other Party organizations as well as the Party itself were one day surprised to hear of the assignment of the SA to military training by decree of the Fuehrer. The then Fuehrer's deputy and his staff tried then to do justice to this Fuehrer decree and to fix the limits of the sphere of activity of the organizations. This is approved in the note, as the SS, NS Motor Corps and NS Flying Corps are cited as completely independent agencies for military training, the youth however purposely not so. I find the reason for this outrageous, which states that the SA cannot effect any advanced military training during the war and therefore would have to direct its work on the age groups of the Hitler Youth. I defend myself against the reproach because of lack of a community of thought within the Party, in so far as this concerns my task as Reich Director for the education of Youth, and can only cite the following example for the execution of the aforementioned assignment of the SA: All the financing of the SA military training is being done in direct collaboration with the armed forces, while the Hitler Youth has considered it necessary from the very beginning to make the Party itself the agency for the direction and administration of its military training. Moreover I must add to my fundamental viewpoint that I consider the whole attack of the SA extraordinarily indecent at the present time, since more than 90% of all Hitler Youth leaders are in the field at the present time and the whole thought which is expressed in Juettner's communication is nothing else but fear of their returning, to work and to the further assignment of work still to be carried out by the Hitler Youth in this field. I am not going to accept any comment from Obergruppenfuehrer Juettner on the idea "Youth Shall be led by Youth", as the Fuehrer spoke these words during the period of struggle after thoughts on education, which were already brought to fulfillment at that time and apparently have not as yet been understood by Obergruppenfuehrer Juettner to this day.

Moreover,

1. For more than one year an agreement in draft form has been submitted to the SA, which requests that SA-cadre be furnished for the military training of the Youth. The top SA lead-

ership did in no case comply with this request of the Hitler Youth.

2. In a discussion between the Reich Youth Leader and the Chief of Staff *the latter has recognized the military training of the Hitler Youth up to the 18 year without reservations* and expressed the wish to make the Achievement Badge [Leistungsabzeichen] of the Hitler Youth similar to the Military Badge [Wehrabzeichen] of the SA. *Since early July of this year this draft* of the Reich Youth Direction to change the Hitler Youth Achievement Badge [Hitlerjugend-Leistungsabzeichen] *has been laid before Obergruppenfuehrer Juettner,* transmitted through the Chief of the Main Office Room 2 of the Reich Youth Direction [Reichsjugendfuehrung], *without an opinion having been expressed in this matter.*

3. Concerning the guiding principles about the organization and work of the Communications Hitler Youth [Nachrichten-Hitlerjugend] which have been cited in the previously-mentioned communication:

From a departmental point of view, I can only gather the impression from this communication of a complete ignorance in this field on the part of Obergruppenfuehrer JUETTNER. (1) Because the SA mentions a two-week radiocourse for the radio diploma [Funkernachweis] of the Air Force, which it wants to have conducted. These bold assertions are not burdened with any knowledge of the facts. Stabsfuehrer MOECKEL explains to me in this respect that in the beginning of the past year the Reich Marshal wanted courses for flying-crew radio operator replacements to be instituted within the Hitler Youth. This was immediately done in collaboration with the National Socialist Flying Corp (NSFK). AFTER 8 MONTHS 17.000 RADIO OPERATOR CANDIDATES have been furnished to the air force *with the ability to receive and send at the speed of 60 words per minute.* The Air Force has built communication equipment to amounts running into the millions, and further, Stabsfuehrer MOECKEL tells me in this respect that this communication training could only be given in the Air Force because aviation facilities could be found only there. He himself had taken radio training with the Air Force for 10 months, and considers the alleged two-week training course as completely impossible. That the order of the Reich Marshal for the Hitler Youth also still applies today is proven by the 20,000 youths *who are undergoing training this year,* and who are performing their duty with the National Socialist Flying Corps (NSFK) and the Air Force in training courses.

(2) It can refute the report, that the General Commands [Generalkommandos] have looked to the SA for aid in securing pre-military training by the enclosed statistics on military training according to the compilation of 1 April 1941 and through additions from 1 August 1941 on. However, I consider it unnecessary to transmit copies of letters in additional enclosures of acknowledgment and declarations of the individual authorities of the armed forces with regard to the pre-military training of the Hitler Youth or to submit a list of the Hitler Youth leaders engaged in the military service holding the Knight's Cross or the Iron Cross First Class. I consider this as unworthy toward the victims in leaders and men which naturally must be sacrificed by the individual units in this war; it furthermore shows a lack of taste.

(3) In order to make further corrections I can emphasize that, as you yourself have been informed through a communication of Stabsfuehrer Moeckel on 30 July 1941, arrangements with the armed forces could be made for the future to the effect that training courses of the Hitler Youth in future will only take place in Hitler Youth operated schools and only in exceptional cases in army barracks [Kasernen] for the training of cadre. The cadre which is furnished there comes for the most part from the Hitler Youth. If cadre are placed on detached service from the armed forces, then they are for the most part conscripted Hitler Youth leaders, or in any case they fall under the authority of a Hitler Youth leader who is in charge of the school. *I would be happy if the SA would put personnel at my disposal for support for this purpose*, similar to the way *in which the SS and the police have been doing for a long time already.*

I must state in conclusion:

Now that the overlapping provisions of the Hitler Youth law have once again been purposely brought up by the SA, and as a matter of fact the disloyalty of the Chief of Staff which was doubtlessly present at the time becomes obvious again in the presentation of the draft of the decree, all the consequences now have to be drawn. After the present attack of the SA on a part of the work of the Hitler Youth at this time, I do not even think of yielding to the falsely-based arguments of the SA, but rather request now, no matter how much I regret this, that the Fuehrer's decision be obtained. For this purpose a joint consultation with the Fuehrer would be necessary. I will at the same time contact the Reich Fuehrer SS, for whom in any case the same conditions exist in this question—which however were interpreted as being in complete agreement with the Hitler Youth. If the Chief of Staff should assume the same attitude transmitted by Obergruppenfuehrer Juettner, I regret not being able to effect any cooperation with him in this field.

Heil Hitler!
yours
[signed] SCHIRACH

Transmitted: Reichsstatthalter Vienna/ Hirsche
Accepted: —? 21,55 Reich Youth Leader Berlin–Hass

TRANSLATION OF DOCUMENT 3933-PS

Reich Youth Leadership
Berlin Teletype message No. 1516, 30 March 1942 12:25
The Reich Youth Leader to Reichsleiter Baldur von Schirach, Vienna.

Below I am transmitting to you the draft of the Fuehrer decree regarding the war commitment of German youth, in respect to which a basic agreement could be reached with the supreme Reich authorities concerned, primarily with the Reich Minister for Science and Education, I request your concurrence.

This draft is going now to the Reich Minister and Head of the Reich Chancellery, who will officially request the approval of the supreme Reich authorities concerned and who will then present the decree together with Reichleiter Bormann to the Fuehrer for signature.

Heil Hitler
[signed] Axmann

Postscript for teletype office:
This teletype message very urgent—please present at once.
From: Reichs youth leadership, Berlin/ Kleist.
Transmitted: rjf Berlin/Kleist
Received: 12.30
Reich Governor in Vienna/Hirsche
Decree of the Fuehrer on the war commitment of German youth.

1. For the sake of uniform direction of the tasks arising in ever-increasing degree for German youth in the framework of war commitment, I am delegating the direction of the war commitment of German youth to Reichsleiter Baldur von Schirach.

2. The leader of the war commitment of German youth has to take all necessary steps in order to insure its greatest possible efficiency. For this purpose he has to coordinate the different commitment tasks, particularly those of school and Hitler Youth.

The differentiation of the war commitment of German youth from other lines of duty is carried out in agreement with the supreme Reich authorities concerned, who have to take the necessary measures in their field to further the war commitment.

The commitment of school boys and school girls takes place according to the directives issued by the leader of war commitment together with the Reich Minister of Education.

The Reich Minister of Education in agreement with the leader of war commitment regulates the educational care of youth during commitment.

3. Commitment of Hitler Youth is carried out by the Reich Youth Leader.

4. The financing of the war commitment is regulated by the Reich Treasurer of the NSDAP.

5. Orders necessary for execution and general administrative regulations are issued by the leader of the war commitment in agreement with the Head of the Party Chancellery and the supreme Reich authorities concerned.

The Fuehrer's Headquarters, the * * *

Transmitted: rjf Berlin/Kleist
Received: 12:40
Reich Governor in Vienna/Hirsche

PARTIAL TRANSLATION OF DOCUMENT 3936-PS

SCHACHT'S VIEWS OF GOERING

Source: Second preliminary report on SCHACHT by Major Tilley of FIAT, based upon notes written for him by SCHACHT.

PERTAINING TO QUESTION 3:

"HITLER I called an amoral type but GOERING I can only regard as immoral and criminal. By nature endowed with a certain bonhomie which he managed to exploit for his popularity, he was the most egocentric being imaginable. The assumption of political power (Note: by the Nazis in 1933) was for him only a means for personal enrichment and personal good living. The success of others filled him with envy. His greed knew no bounds. His predilection for jewels, gold and finery was unimaginable. He knew no comradeship. Only so long as someone was useful to him he was friends with him, but only on the surface.

"GOERING's knowledge in all fields equalled 0 [zero], especially in the economic field. Of all the economic matters which HITLER entrusted to him in the autumn of 1936 he had not the faintest notion [nicht den leisesten Schimmer] though he created an immense official apparatus and misused his powers as lord of all economy most outrageously. In his personal appearance he was so theatrical that you could only compare him with Nero. A lady who had tea with his second wife reported that he appeared at this tea in a sort of Roman toga and sandals studded with jewels, his fingers bedecked with innumerable jewelled rings and generally covered with ornaments, his face painted and his lips rouged.

"GOERING had no influence whatever on HITLER. He was terribly afraid of HITLER and carried on permanently intrigues against all big-shots [Bonzen] who could have belittled him or ousted him from the Fuehrer's favor. On one occasion, when I had persuaded him to report certain matters to HITLER, he told me that he would do that, but that, every time he was in HITLER's presence his heart went to his boots [the original German expression, in fact, is much cruder, viz. dass ihm * * * jedesmal das Herz in die Hosen fiele]."

PARTIAL TRANSLATION OF DOCUMENT 3943–PS

Berlin, 1 May 1942
[Rubber Stamp:]

Secret

Chief of Security Police and SD
Executive Staff [Kommandostab]
The Reich Defense Commissioner for Military District XVII
Recd. 27 May 1942
Z—RV—K 1320/C/471/42 g

Reports from the occupied Eastern territories
No. 1

To be filed
17-6-42 [Initials]

Instead of the "Reports about the activity and status of the operation group of the Security Police and the SD in the USSR", which so far were delivered monthly, there are now appearing weekly the "Reports from the occupied Eastern territories."

Berlin, 22 May 1942
[Rubber stamp]
Secret
[Rubber stamp]

Chief of Security Police and SD
Executive Staff [Kommandostab]
The Reich Defense Commissioner for Military District XVII
Recd. 27 May 1942
Z—RV—K 1320/C/474/42g

Reports from the occupied Eastern territories
No. 4

To be filed
17-6-42 [initials]

When making inquiries, please refer to the above number of the report.

* * * * * * *

[page 5, line 31 to page 6 complete]

The Jews in the Crimea.

The first Jewish settlements in the Crimea worth mentioning date back to the end of the 18th Century when the Crimea, with the exception of Sevastopol and the Imperial summer residence Yalta, was assigned to the Jews as a zone for settlement.

At the same time when Judaism was trying to create for itself in the Asiatic part of Russia the Jewish autonomous territory of "Birodshan" the attempt was made, with the strong financial support of American Jewish organizations, to create a rather closed settlement area for the Jews also in the European part of the USSR, in the Crimea. It is characteristic of the general influence which the Jews exercised in the USSR already at that time, that the so-called "Kosed", a subdivision of the NKVD, specially created by the Reds as control organization, was completely dominated by the Jews within a short time. The settling of the Jews in the Crimea, which took place chiefly at the time when collectivation (1928) was increasing, was done almost entirely at the expense of the German nationals and Tartars. In the western and central parts of the Steppe, whole German villages had to be evacuated and surrendered to the Jews. However, just as in "Birodshan" the attempt to turn Jews into farmers failed also in the Crimea.

Already in 1939, out of the 65,000 Jews in the Crimea, 44,000 (that is almost 70 percent) lived in the cities of Simferopol, Sevastopol, Kertsch, Jewpatoria, Yalta, and Feodosia alone. In the country, they worked chiefly as administrators of large stocks and supply depots, where they carried on their usurious trade by buying and selling scarce goods as well as consumer goods.

All vital spheres in the Crimea were soon completely dominated by the Jews living in the cities. Even if in some instances the chairmen of the individual commissariats themselves were not Jewish, then their deputies or the first secretaries were Jews.

Of the Krimtschaks (approximately 6,000) who were generally counted to the Jews, about half lived for the greater part in Simferopol (2,500) and in Karasubarsar. Their annihilation together with that of the real Jews and the gypsies in the Crimea took place essentially until the beginning of December 1941.

The fact that the Krimtschaks and the gypsies shared the fate of the Jews did not particularly excite the population.

Berlin, 5 June 1942
[Rubber Stamp:]
Secret!
[Rubber Stamp:]

Chief of the Security Police and SD
Executive Staff [Kommandostab]
The Reich Defense Commissioner for Military District XVII
Recd. 9 June 1942
Z—RV—K 1320 C—499/42g.

Reports from the occupied Eastern territories
No. 6

When making inquiries please refer to the above number of the report.

To be filed
17 June 1942 [Initials]

* * * * * * *

[Page 7, lines 1 to 15 incl.]

The Jews in Estonia.

As Estonia in the Czarist Russia was closed to Jewish immigration till about the middle of the last century, the Jewish people with only 0.38 percent (4,500) remained there numerically unimportant.

Nevertheless their influence in all spheres of life was far stronger. Above all, through their connection with NKVD, the Jews knew how to create for themselves a strong position within the Estonian life.

At the entry of the German troops, the majority of the Jews left Estonia. Only about 2,000 Jews remained there of whom about half lived in Reval. Through the Security Police and SD, the Jews were seized by and by, avoiding all unnecessary trouble in the economic life of Estonia.

Today there are no more Jews in Estonia.

Berlin, 12 June 1942
[Rubber Stamp:]
Secret!
[Rubber Stamp:]

Chief of the Security Police and SD
Executive Staff [Kommandostab]
The Reich Defense Commissioner for Military District XVII
Recd. 16 June 1942
Z—RV—K 1320C—525/42g

Reports from the occupied Eastern territories
No. 7

To be filed
17 June 1942 [initials]

When making inquiries please refer to the above number of the report.

* * * * * * *

[Page 4, line 24 to page 5 complete]

The Jews in Latvia

The number of the Jews in Latvia in 1935 was 93,479—4.79 percent of the entire population. While before 1940, the year of Latvia's occupation by the Soviet Union no Jews were employed in the Latvian Civil Administration, all influential positions were in their hands soon afterwards. For example, about 50 percent of all judges were Jews. In the higher judicial instances, particularly in the courts the share of the Jews even mounted to 80 percent. Similar conditions prevailed in the economic and cultural life.

After the entry of the German troops into Latvia there were still about 70,000 Jews, while the others had fled with the retreating Bolshevist armies.

The acts of sabotage and arson which occurred in Latvia shortly after the entry of the German troops were caused or committed to the greatest extent by Jews.

For example, in Dunaburg so many fires were laid by Jews that a large part of the town was destroyed thereby. The removal of 33,038 Latvians is also to be attributed to Jewish influence.

At the present time there are only a few Jews in the ghettos who are doing specialized work.

The figures are as follows:

In Riga about 2,500
Dunaburg about 950
Libau about 300

Aside from these Jews, Latvia has become free of Jews in the meantime.

Berlin, 26 June 1942.
[Rubber Stamp:]
Secret!
[Rubber Stamp:]

Chief of the Security Police and SD
Executive staff [Kommandostab]
The Reich Defense Commissioner for Military District XVII
Recd. 30 June 1942
Z—RV—K 1320/C/552/42g

Reports from the occupied Eastern territories
No. 9

To be filed
1 July 1942 [initials]

When making inquires please refer to the above number of the report.

*   *   *   *   *   *   *

[Page 7, line 11 to page 8, line 16 incl.]

The Jews in White Ruthenia

The White Ruthenian area has always been the most densely populated by Jews of all areas of the Eastern territory. According to a census taken in 1926 more than 400,000 Jews lived in what was then the White Ruthenian Socialist Soviet Republic (RSSR). In the Western territories belonging to the former Poland which are also populated mainly by White Ruthenians, more than 500,000 Jews were living there according to a census last taken in 1931. Experience shows that the Jews, when censuses were taken, for reasons of camouflage only partly acknowledged to be Jews, and therefore the figures given embrace only a part of the Jews actually living in the White Ruthenian settlement area, so that their total number in reality is far higher.

At the outbreak of the war, more than half of the Jews in White

Ruthenia lived in the larger cities, above all in Minsk, where out of 238,000 inhabitants 100,000 to 120,000 were Jews. Although the great majority of the White Ruthenian Jews were impecunious, they still had exercised for a long time a great influence in all spheres of life, in the former Polish area as well as in the originally Soviet Russian area. At the same time, the influence of the Jews in the former Polish territory was due mainly to their very strong economic positions. While in the Soviet Russian part of White Ruthenia they had their powerful positions in the state apparatus, and above all in the Communist party, especially in its real centers of power, the Central Committee and the Politbureaus.

The measures taken by the Security Police and SD have caused basic changes also in White Ruthenia in regard to the Jewish question. In order to bring the Jews under an effective control, independent of the measures to be taken later, Jewish Councils of Elders were formed, who were responsible to the Security Police and the SD for the behavior of their racial comrades. Besides, the registration of the Jews was initiated and they were concentrated in ghettos. Finally the Jews had to wear yellow insignia in front and on their back to be recognized, in the manner of the Jewish star introduced in the territory of the Reich. In order to utilize Jewish labor fully the Jews were generally used for uniform employment and for clearing up operations.

With these measures the foundation was laid for the later intended final solution of the European Jewish problem, for the White Ruthenian territory as well.

[stamp]
Z-RV-K

Berlin, 22 January 1943

The Chief of the Security Police and of the Security Service, Command Staff

[stamp] Secret!

Reports from the occupied Eastern territories
No. 38

Only for personal information.

[stamp]
The Reich Defense Commissioner for the Reich Gau Vienna
Received 26 January 1943
Z-RV-K 1320/2/61/43 secretϕ

In inquiries please refer to above number.

[Illegible handwritten pencil notation.]

* * * * * * *

[Page 2, line 23 to Page 3, 21]

In the last few weeks altogether four large scale drives were started in the White Ruthenian territory, with utilization of active SS or Police regiments. The reconnaissance for these drives was carried out by commando units of the Security Police and of the Security Service:

1. Operation Munich ["Muenchen"] in the territory North of RADOSCHKOWITSCHI. The guerrillas had a total of 63 dead during the battle; 6 prisoners could be taken. There were no losses on our side. The booty in cattle, grain, food, weapons, and ammunition was considerable. Altogether 14 camps of the guerrillas were destroyed.

Booty:

1 mortar
15 light machine guns
295 rifles
5 machine pistols
9 pistols
1 automatic rifle
141 hand grenades
46,000 rounds infantry ammunition
78 kilograms of explosives
2 telescopes
1 compass
274 sledges
265 hides
10 cw linseed
10 cw hemp
265 cubic meters wood

in addition large amounts of hay and straw. One camp as well as 18 shelters were destroyed. 1,308 persons were seized for labor mobilization in the Reich. The following were secured:

395 horses
2,803 head of cattle
572 pigs
1,560 sheep
459 tons of corn

Our own losses: 6 dead, 17 wounded. 4 members of the Security Police received the Iron Cross second class [EK. 2] for outstanding service.

Berlin, 12 February 1943

The Chief of the Security Police and of the Security Service Command Staff

[stamp]

The Reich Defense Commissioner for the Reich Gau Vienna
Received on 27 February 1943
Z-RV-K 1320/2/188/43/secret

[stamp:] Secret!

Reports from the occupied Eastern territories
No. 41

Only for personal information

[illegible pencil notations.]

In inquiries please refer to the above number!

* * * * * * *

[Page 3, line 2 to line 33]

Fighting against guerillas in the sphere of the commandants of the Security Police and of the Security Service in White Ruthenia. Concerning the operation "Harvest Thanksgiving I" [Erntefest I"] the following final report is at hand: Operation "Harvest Thanksgiving I" West of TSCHERWEN—OSSIPOWITSCHI—on point of juncture rear army area and White Ruthenia finished. Own forces utilized: 11 Police—and Protective Battalions [Schutzmannschaftsbataillone] and 3 Security Service commando units.

Total result: 805 or armed enemy killed, of whom 2 were officers and 2 commissioners. 1,165 persons received special treatment, because they took sides with the guerrillas, 34 prisoners were brought in.

2. Operation Nurnberg East of Lake BONIN. The guerrillas lost 168 dead during the battle. Our own losses: 1 dead and 1 wounded. Here, too, the booty in equipment and food supplies was great.

3. Operation Hamburg in the territory of SLONIM. This was the greatest success until now in the White Ruthenian territory. The information of the reconnaissance units of the Security Police and of the Security Service was so exact that every camp was found. In numerous battles 1,676 bandits were killed. Furthermore, 1,510 persons suspected of belonging to the guerrillas [bandenverdaechtig] were shot. Among the very great booty there were 4 tanks and 8 guns, or antitank guns. The amount of cattle and grain is almost inestimable. Furthermore, in the communities which were within the territory of the drive 2,658 Jews as well as 30 gypsies were taken [wurden gestellt]. Our own losses: 7 dead and 18 wounded.

4. Operation Altona in the territory KOSSOW-BYTEN. This drive was aimed at a larger group of guerrillas which had broken through to the South during the operation Hamburg. The reconnaissance was carried out by the commando units of the Security Police during the period of the operation. The guerrilla band lost 97 dead in battle. Furthermore, in this area 785 persons suspected of belonging to a band [bandenverdachtig] were shot and 126 Jews and 24 gypsies were taken [wuden gestellt]. The

booty in cattle and food was considerable, and in weapons and ammunition not very great. There were no losses on our side.

Berlin, 19 March 1943

The Chief of the Security Police and of the Security Service, Command Staff

[stamp]

The Reich Defense Commissioner for the Reich Gau Vienna

Received on 23 March 1943

Z-RV-K 262/43 secret

1320/2

[stamp] secret

[stamp:] 24 March 1943

[illegible pencil notations]

Reports from the occupied Eastern territories No. 46

Only for personal information. In inquiries please refer to the above number.

* * * * * * *

[Page 1, line 22 to Page 2, line 8]

Guerrilla activity in the sphere of the commandant of the Security Police and the Security Service of White Ruthenia

During the period from 8 to 26 February 1943 the operation "Hornung" was carried out in the *PRIPJET—Swamps in the area of MOROCZ — MILEWICZE — LENIN — HRYCZYNOWICZE — GLOWNY — KANAL — LUGY — HAWRYLCZYCE —BIELICZKOWIECZE.* The supporting reconnaissance [*Erkundungs unterlagen*] for the operation which took place with strong forces—4 combat teams—was carried on by especially assigned commando units of the Security Police and of the Security Service. Losses of the enemy: 2,219 dead; 7,378 persons who received special treatment; 65 prisoners; 3,300 Jews. Our own losses: dead, 2 Germans, 27 non-Germans [Fremdvoelkische]; wounded: 12 Germans, 26 non-Germans. Booty in weapons and ammunition: 172 rifles; 14 pistols and revolvers; 2 heavy machine guns; 6 light machine guns; 5 machine pistols; 1 gun; 150 hand grenades; 7 heavy mines; large amounts of explosives; 21,173 rounds of infantry ammunition; 500 rounds of pistol ammunition. In agricultural products: 559 horses and colts; 9,578 head of cattle; 844 pigs; 5,700 sheep; 222.8 tons of grain; 13.8 tons of linseed and hemp seed; 2 tons of flax. Miscellaneous: 2 trucks; 185

PANJE-cars; 205 sledges; 1 dental station and medical material; 3 church bells; various tools and pieces of equipment; 1 war chest with 4,000 Marks in Ukrainian currency. Destroyed: 1,900 houses; 1 weapons maintenance shop; 56 camps (partly fortified); and 1,064 shelters.

RVK 1320/2

Chief of the Security Police and of the SD [Security Service]
Executive Staff
[Red pencil]: ZKV.

Berlin, 9 April 1943
[Rubber Stamp]
Secret!
[Rubber Stamp]
The Reich Defense Commissioner for the Reichsgau Vienna
Received on 15 April 1943
Z-RV-K 333/43 (D) 1300/2

Reports from the Occupied Eastern Territories
No. 49

For personal information only.

To be filed
[Initials in pencil]

When making inquiries please refer to above number of report.

* * * * * * *

Guerrilla Activity in the Command Area of Latvia in February 1943

By the end of January 1943, guerrilla activity in the eastern border areas of Latvia-Lettgallen had increased to such an extent that many inhabitants left their property and moved into the interior.

Only when the large scale operation which was prepared under the leadership of SS Obergruppenfuehrer JECKELN went under way in the middle of February, the guerrilla raids diminished.

Among others, commandos of the security police, several battalions of the Latvian police force, one Ukrainian police force battalion, motorized rural police, an antiaircraft combat troop, and several planes took part in the *Operation "Winterzauber"*. By the beginning of March, the area Lipovka—Rosica—Muschina—Schamborovo—Bigosovo and Ustje was cleared of guerrillas and a dead zone 15 kilometers wide had been created at the Russian border.

Up to that time *our own losses* amount to: Police Force: 4 killed, 1 seriously wounded, 4 slightly wounded, 2 missing. Security Battalion: 3 killed, 1 wounded. *Losses of the enemy:* 137 guerrillas killed in battle, 1,807 guerrillas and their helpers were shot, 51 guerrillas were taken prisoner, more than 2,000 persons whose participation in the activity of the guerrillas could not be established were evacuated from the captured villages and were taken to Camp Salaspils near Riga.

Booty: 527 heads of livestock as well as 55 horses were captured. The booty in arms consists among others of 2 antitank guns, machine guns, rifles, several cases of machine gun and rifle ammunition, 207 hand grenades, and 1 dump of explosives. Three ammunition dumps were blown up, and 83 villages held by the guerrillas were burned down.

COPY OF DOCUMENT 3944–PS

AFFIDAVIT

Baden-Baden, Germany
3 May 1946

EMIL PUHL, being duly sworn, deposes and says:

1. My name is EMIL PUHL. I was born on 28 August 1889 in Berlin, Germany. I was appointed a member of the Board of Directors of the Reichsbank in 1935 and Vice President of the Reichsbank in 1939, and served in these positions continuously until the surrender of Germany.

2. In summer of 1942, WALTER FUNK, the President of the Reichsbank and the Reich Minister of Economics had a conversation with me and later with Mr. Friedrich Wilhelm, who was a member of the Board of Directors of the Reichsbank. FUNK told me that he had arranged with Reichsfuehrer HIMMLER to have the Reichsbank receive on safe deposit gold and jewels for the SS. Funk directed that I should work out the arrangements with POHL, who, as head of the Economic Section of the SS was in charge of the administration of the economic aspects of the concentration camp program.

3. I asked FUNK what the source was of the gold, jewels, banknotes and other articles to be turned over by the SS. FUNK replied that it was confiscated property from the Eastern occupied territories but that I should ask no further questions. I protested against the Reichsbank handling this material. Funk stated that we were to go ahead with the arrangements for handling the material, and that we were to keep the matter absolutely secret.

4. I arranged subsequently with one of the responsible officials

in charge of the cash and vault departments for receiving the material, and reported the matter to the Board of Directors of the Reichsbank at its next meeting. POHL of the Economic Section of the SS on the same day telephoned me and asked if I had been advised of the matter. I said I would not discuss it by telephone. He came to see me and reported that the SS had some jewelry on hand for delivery to the Reichsbank for safe keeping. I arranged with him for delivery and from then on deliveries were made from time to time, from August 1942 over the following years.

5. The material deposited by the SS included jewelry, watches, eye glass frames, dental gold, and other gold items in great abundance taken from Jews, concentration camp victims and other persons by the SS. This was brought to our knowledge by SS personnel who attempted to convert this material into cash and who obtained in this connection the assistance of the Reichsbank personnel with FUNK's approval and knowledge. In addition to jewels and gold and other such items the SS also turned over bank-notes, currency and securities to the Reichsbank to be handled in the usual legal procedure established for such items. As far as the jewelry and gold were concerned, FUNK told me that HIMMLER and von KROSIGK, the Reich Minister of Finance had reached an agreement that the gold and similar material was on deposit for the account of the Reich and that the proceeds resulting from the sale thereof would be credited to the Reich Treasury.

6. From time to time, in the course of my duties, I visited the vaults of the Reichsbank and observed what was in storage. FUNK, in the course of his duties, also visited the vaults from time to time.

7. The Gold Discount Bank, at the direction of FUNK, also established a revolving fund which finally reached 10 to 12 million reichsmarks for the use of the Economic Section of the SS to finance production of materials by concentration camp labor in factories operated by the SS.

I am conversant with the English language and declare that the statements made herein are true to the best of my knowledge and belief.

Witness: Susan Schaefer, OCC

[signed] Emil Puhl

Sworn and subscribed to before me on the third of May 1946 at Camps d'Altschweier, Baden-Baden.

DANIEL F. MARGOLIES.
1st Lt., AUS.

[ITEM 1]

[This page represents file-cover.]

[Stamp]

The President of the Secret Cabinet Council.

SPECIAL FUNDS

Berlin W 8, Vossstrasse 6, 28th August 1939

[ITEM 2]

The Reich Minister and Chief of the Reich Chancellery
Rk. 22766 B

To: The President of the Secret Cabinet Council,
Berlin, w 8, Vossstrasse 6

In reply to letter of 9th August 1939, without G. No.

In conformity with your request, I have had the sum of RM 10,000, which had been placed at your disposal for special expenses in connection with the obtaining of diplomatic information, handed to Amtsrat Koeppen.

I enclose the draft of a certificate showing how the money was used, with the request to send me the certificate after execution at the latest by the end of the financial year.

[signed] Dr. Lammers

[Note in pencil at foot of the original letter]

The certificate of use was executed on 31st March 1940 and forwarded to the Reich Chancellery on 2nd April 1940.

[initialled] K.

[ITEM 3]

Copy.

Re. Rk. 2 2766 B.

Certificate of use
10,000.00 RM

I have received "Ten thousand Reichsmarks" from the Reich Chancellery for special outlay entailed in obtaining diplomatic information. In conformity with my duty, I hereby affirm that I have used the above mentioned sum for the purpose stated. Receipts from the persons who received individual sums could not be demanded.

Berlin, 31st March 1940.

[signed] Neurath.

[Item 4]

Berlin, 2nd April 1940.

In reply to your letter of 28th August 1939—Rk. 2 2766 B—, I beg to enclose herewith the duly executed Certificate of use.

On behalf of

[signed] Koeppen.

To: The Reich Minister and Chief of the Reich Chancellery,
Berlin.

[Note in pencil at foot]
from Dept. 1—2/4 K.

[ITEM 5]

Berlin, 31st May 1943

Highly esteemed Herr Reich Minister

I beg to inform your Excellency that the private means of the office till will soon be exhausted. The amount of 10,000 RM paid in on 9th May 1941 will be used up with the payments to be made in the month of June.

Your Excellency,
With thanks, I remain,
Yours faithfully,
[signed] Koeppen

[ITEM 6]

Berlin, 30th June 1943.

In my bureau there is a need to incur special expenses, to audit which it does not appear to me advisable. As I am no longer being allotted special means to be at my disposal, I shall be obliged if you will place the sum of 10,000 RM at my disposal for the purposes indicated.

[signed] Freiherr von Neurath.

To: The Reich Minister and Chief of the Reich Chancellery, Dr. Lammers, Berlin.

[ITEM 7]

Berlin W. 8., Vossstrasse 6, 11th July 1943.

The Reich Minister and Chief of the Reich Chancellery

[Stamp]

Now at Field quarters.

All mail, without exception to be sent to Berlin address.

[Stamp]

The President of the Secret Cabinet Council

recd. 15th July 1943.

To: The President of the Secret Cabinet Council, Berlin, w. 8.

Re. letter of 30th June, 1943.

In accordance with your request, I place at your disposal the sum of 10,000.00 RM out of the Fuehrer's disposal funds which I administer and which are for the purpose of meeting special outlays, the auditing of which does not appear to be advisable. I will have this amount transferred to Amtsrat Koeppen.

As the presenting of a detailed statement of the expenses paid out, for the purposes of auditing accounts, might be impracticable, I request you to return to me the attached Certificate of Use as soon as these means have been disposed of.

[signed] Dr. Lammers.

[ITEM 8]

Certificate of use

10,000.00 RM

I have received "Ten thousand Reichsmarks" from the Reich Chancellery for special expenses, the auditing of which does not appear to be advisable. In accordance with my duty, I hereby certify that I have used the above named amount for the purposes stated.

Berlin, [no date,
no signature]

[ITEM 9]

Berlin, 14th July 1943

Highly-esteemed Herr Reich Minister,

When I went into the matter of the Private Fund, the competent people in the Reich Chancellery showed an entirely understanding attitude to this matter, and asked for a written application from Your Excellency. When I replied that I did not wish to bring about such an application before success was announced, they asked for a little longer for a further exchange of views. After a few days I received an intimation that I could bring about the application without hesitation, upon which I handed over the letter which I had previously withheld. The amount requested has been handed to me today and I have duly entered this sum in my special cashbook as a Credit.

I am, Your Excellency, always

Yours faithfully,

[initialled] K.

TRANSLATION OF DOCUMENT 3947–PS

Berlin, 31 March 1944.

Subject: Utilization of jewels and so forth, which were acquired by official agencies in favor of the Reich.

According to the oral confidential agreement between vice president Mr. Puhl and the chief of one of Berlin's public offices, the Reichsbank took over the selling of local and foreign currencies, gold and silver coins, precious metals, securities, jewels, watches, diamonds, and other precious objects. All incoming objects will be processed under the code name "MELMER".

The large number of precious objects acquired hereby have been turned over to the Municipal Pawn Shop, Div. III Main Office Berlin N 4, Elsaesser Str. 74, for the best possible utilization after checking the number of pieces and their weight, provided they have not been smelted. As it is evident from the enclosed copy of a letter from the Pawn Shop, dated 29.3.44., it refuses further acceptance of such items and declines to process items already in their possession, whose processing has not yet been completed.

We have been informed that the City Treasurer, to whom the Zentralstelle as a municipal office is subordinated, wants to use its personnel in the office for war damages.

The question of a uniform utilization of the precious objects is important not only because the Reichsbank should be given the opportunity to sell unprocessed jewels, etc., from the Melmer delivery the same way as it did before, and not only because its equivalent belongs to the Reich, but also due to the following reasons:

So far the Pawn Shop made the purchases according to the world-wide gross prices minus 10% for purchasing charges. In case the price obtained in the final disposition was a higher one, this surplus went to the benefit of the Reich. Through sales to foreign countries, a considerable amount of foreign currency must have been acquired. A large number of goods ready for export are still in possession of the Pawn Shop. Among others, diamonds of 35,000carats and very small diamonds (roses) of a very high value.

The Reichsmarshall of the Greater German Reich, the deputy for the Four Year Plan, informed the German Reichsbank, in a letter of 19.3.44., a copy of which is enclosed, that considerable amounts of gold and silver objects, jewels, and so forth, at the Main Office of the Board of Trustees East should be delivered to the Reichsbank according to the order issued by Minister of the Reich, Funk and Graf Schwerin Krosigk. The utilization of these objects should be accomplished in the same way as the Melmer deliveries. The Reichsmarshall informed us also about the utilization of objects of the same kind, which have been acquired in the occupied Western territories. We do not know to which office these objects have been delivered and how they are utilized.

We received a further inquiry about the utilization of jewels a.s.f. from the Reichsbank in Kattowitz (compare with enclosed copy).

Besides the above-mentioned cases, where the Reichsbank is, or will be, indirectly participating in selling of jewels, there is yet to clear the question of utilization of jewels a.s.f. which have been acquired as war booty. As far as we know, the entire war booty consisting of jewels a.s.f. is in the safes of the Reichshauptkasse. Probably there are objects and items still fit for export which after smelting can give us gold and silver. The official in charge of it is Ministerialrat Dr. Maede, as attorney—in fact—from the Reich Ministry of Finance in Sigmeringen.

In our opinion it is absolutely essential that a uniformed utilization be established of goods acquired by official agencies. The simplest solution would be to separate the pawn institution, which has the necessary skilled personnel and the connections necessary for sale abroad from the Municipal authorities for this war job. Should this be impossible, another appropriate agency should be appointed for this work.

Considering the large amount of incoming foreign currency as a result of the sale of these objects in foreign countries and the considerable acquisition of gold and silver not fit for export from smelting, the immediate uniform settlement of this problem seems to be very advisable.

Hauptkasse
[signed] KROPP

TRANSLATION OF DOCUMENT 3948-PS

September 15, 1942

To the Municipal Pawn Brokerage
Div. III—Central Office
Berlin N 4, Elsaesser St. 74

Second Shipment

We submit to you the following valuables with the request for the best possible utilization:

	kg rough	*kg gross*
Item 1:		
247 rings of platinum and silver with stones	0,911.0	0,950
Item 2:		
154 gold watches	3,413.5	8,614
42 gold watch chains and watch pendants	0,685.5	
245 silver watch chains and watch pendants	4,047.5	
Item 3:		
207 earrings, with stones believed to be diamonds	0,337	2,694
1601 earrings of gold	1,425	
721 earrings of silver	0,759	
Item 4:		
Item 5:		
41 bracelets and wrist bands, said to be of gold with precious and semi-precious stones	0,512	5,650
9 bracelets and wrist bands	0,161	
13 brooches with stones said to be diamonds	0,085	
55 brooches, pins, and clips of gold	0,226	
99 gold pendants	0,379	
5 pendants with diamonds	0,013	
116 bracelets and wrist bands, silver	0,761	
Diverse brooches, pins, clips of silver	1,187	
Diverse pendants of silver	0,902	
Item 6:		
132 jewel rings with stones said to be diamonds	0,381	1,274
254 jewel rings with various stones	0,730	
Item 7:		
324 silver wrist watches	6,622	6,809
Item 8:		
784 silver pocket watches	54,420	55,435
Item 9:		
12 silver candelabras	26,950	28,295
170 silver goblets and containers		
99 silver boxes and cases		
127 silver spoons, forks, and knives		
18 silver money purses and pocketbooks		
43 diverse articles of silver		

Item 10:

5 necklaces and collieres with stones said to be diamonds	0,038.5	5,788
48 necklaces and collieres of gold	0,572.5	
5 necklaces and collieres with pearls, and 49 loose pearls	0,082.5	
317 necklaces and collieries of silver	1,778.5	
5 necklaces and collieres with garnets	0,085.0	
1 collar pin with stone said to be diamond	0,001.5	
13 collar pins of gold	0,019.5	
3 collar pins of silver	0,004.0	
2 studs with stone said to be diamond	0,002.5	
23 studs of gold	0,092	
60 studs of silver	0,211	
*160 diverse dentures, partly of gold	0,973	
Various parts of jewels and watch cases	1,809	
187 pearls 4 stones said to be diamonds 10 precious and semi-precious stones 27 corals — kg. gross	0,071.0	

We should like itemized statements for the individual items and further request that the amount be transmitted by check as soon as possible to the "Precious Metal" ["Edelmetall"] account.

Deutsche Reichsbank
Hauptkasse
[Signature illegible]

[*This line is crossed out in original.]

TRANSLATION OF DOCUMENT 3949–PS

September 19, 1942.

Concerning: Conversion of notes, gold, silver, and jewelry in favor of the Reich Minister of Finance.

1—Partial statement of values received by our "Precious Metal" ["Edelmetall"]

1. Shipment received on August 26 of this year.

1. Foreign notes and coins (compare encl. 1)	RM	123,827.65
2. 32 gold ingots (cf. encl. 2)		446,234.93
3. 116 silver ingots (cf. encl. 3)		38,229.40
4. Diverse jewelry	not yet examined and evaluated	
5. Diverse strings of pearls, pearl jewelry, and loose pearls		
6. Diverse gold coins (cf. encl. 4)		77,692.06

2. Shipment received September 4 of this year. The examination of the nine locked trunks received revealed the five objects indicated,

whose conversion has been begun. In addition, the following have been ascertained.	
a. Gold coins (cf. encl. 6)	1,953.68
b. Silver coins (cf. encl. 7)	53.16
c. Foreign notes (cf. encl. 8) contents of two trunks	77,452.71
3. Shipment of September 7 of this year. The locked trunk received contained the gold coins evaluated in enclosure 9 in the amount of...	112,037.70
In addition we took foreign notes in the amount of (cf. encl. 10)	89,130.64
Statement of the ten gold ingots given us separately, ca. kgr. 139,189 in the amount of (cf. encl. 11)	217,763.66
	RM 1,184,375.59

Before we turn over the total amount taken in to date, to the Reichshauptkasse, account of the Reich Minister of Finance, we beg to be informed under what initial this and later amounts should be disposed of.

It might further be of advantage to call the attention of the responsible office of the Reich Ministry of Finance in time to the amounts to be transferred from the Deutsche Reichsbank.

Deutsche Reichsbank
Hauptkasse

11 Enclosures

[stamp] Paid by check
Berlin, October 27, 1942.
Hauptkasse

COPY OF DOCUMENT 3951–PS

8 May 1946

STATEMENT OF ALBERT THOMS

1. One of the first steps in the series of state sanctioned confiscations in Germany was a decree by the Four Year Plan, dated 26 April 1938, which required that all Jews declare their property, together with estimated values. This was followed by a series of decrees which, at first, forbade trading in such property and subsequently permitted the possessors to turn in their jewels and silverware to the Municipal Pawn Shops for conversion into currency and to deposit securities in Devisen Banks. The instructions to carry out these orders were issued by the Minister of Economics. On 21 February 1939 a decree was issued making compulsory the delivery of the personal property of Jews to the appropriate organizations. I am not certain whether the pro-

ceeds of the sale of the items so confiscated were placed to the credit of the Ministry of Finance or to the credit of local governments.

2. Certain of these items did, in the normal course of events, come to the Reichsbank. Coin and gold bars are in that category.

3. Therefore, except in so far as gold coins and bars were concerned, the Reichsbank had no participation whatsoever in this program of confiscation of property.

4. The first time that the Reichsbank was placed in the position of having to handle jewelry was when it began to receive Wehrmacht booty, usually from Reichsbank branches closer to the western front. These branches transmitted the jewelry to the Reichsbank which, in turn, immediately transmitted the items to the Reichshauptkasse and notified the shipper of that action.

5. In the summer of 1942, however, I was called into the office of Reichsbank director Frommknecht, who said that the Reichsbank was going to handle a special transaction, of which he knew very little. However, he said Puhl would know all the details and wanted to see me about them. I went to Puhl's office and Puhl explained to me that the Reichsbank was going to act as custodian for the SS in the receipt and disposition of deposits. He said that the SS would deliver usual property with which the Reichsbank dealt, namely, gold, silver and foreign currency. He also explained, however, that the SS had intended to deliver numerous other kinds of property, such as jewelry, and we must find a way to dispose of it. I suggested to Mr. Puhl that we transmit the items to the Reichshauptkasse, as we made it in the case of Wehrmacht booty, or that the items could be given by the "Reichsfuehrer SS" directly to the Pawn Shop for disposition so that the Reichsbank had no more to do with it than it did in the case of confiscated Jewish property. Puhl told me that it was out of the question and that it was necessary that we arrange a procedure for handling this unusual property in order to hold the whole business secret.

6. This conversation with Puhl occurred just a short time, approximately two weeks, before the first delivery, which occurred on August 26, 1942. The conversation was in the office of Mr. Puhl; nobody else was present. I don't remember if Mr. Frommknecht was present during the whole time; and Puhl said it was very important not to discuss this with anybody, that it was to be highly secret, that it was a special transaction, and if anybody asked about it that I say I was forbidden to speak about it.

7. This was the first time in a very long time that I ever had occasion to speak with Puhl on business. Since Puhl was Vice

President I very rarely dealt with him. I normally dealt with only the Reichsbank director in charge of cash, Mr. Frommknecht, or with the Reichsbank director in charge of Devisen, Mr. Reinel. The only other case I remember dealing with Puhl concerned the Belgian Gold Situation.

8. I was told by Mr. Puhl that if I had any questions on this matter I was to get in touch with Brigadenfuehrer Frank or with Gruppenfuehrer or Obergruppenfuehrer Solff of the Wirtschaftabteilung of the SS. I remember getting the telephone number of this office, and I think I recall it was furnished me by Mr. Puhl. I called Brigadefuehrer Frank about this and he stated that the deliveries would be made by truck and would be in charge of an SS man by the name of Melmer. The question was discussed whether Melmer should appear in uniform or civilian clothes, and Frank decided it was better that Melmer appear out of uniform. I was told merely to give Melmer a preliminary conditional receipt for the cases that constituted the deliveries and Frank told me that Melmer would later tell me what account was to be credited with the proceeds of the items upon their disposition.

9. I do not believe that anybody overheard this conversation. I called from my office which was separated from other offices by glass partitions.

10. When the first delivery was made, however, although Melmer appeared in civilian clothes, one or two SS men in uniform were on guard, and after the first one or two deliveries, most of the people in the Hauptkasse and almost everybody in my office knew all about the SS deliveries.

11. The procedure, upon receiving the goods, was to sort them and distribute the goods to the appropriate departments in the Reichsbank for handling and disposition. The stocks, securities, and bonds were transmitted to the Wertpapierabteilung. The coin and gold were retained by me in the Precious Metals Department, as well as the jewelry. In the early deliveries, Melmer always had a short statement of the contents of the delivery, on the original of which was placed a Reichsbank signature as a receipt. Then the goods were itemized in detail and a final receipt delivered to Melmer. Subsequently, the Reichsbank also prepared even the abbreviated preliminary receipt.

12. Included in the first statement sent by the Reichsbank and signed by me to Melmer was a question concerning the name of the account to which the proceeds should be credited. In answer to that I was orally advised by Melmer that the proceeds should

be credited to the account of "Max Heiliger." I confirmed this on the telephone with Rechnungsdirektor Patzer of the Ministry of Finance, and in my second statement to Melmer, dated 16 November 1942, I confirmed the oral conversation.

13. After a few months, Puhl called and asked me how the Melmer deliveries were going along and suggested that perhaps they would soon be over. I told Puhl that the way the deliveries were coming in it looked as though they were growing.

14. One of the first hints of the sources of these items occurred when it was noticed that a packet of bills was stamped with a rubber stamp "Lublin." This occurred some time early in 1943. Another hint came when some items bore the stamp "Auschwitz." We all knew that these places were the sites of concentration camps. It was the tenth delivery in November 1942 that dental gold appeared. The quantity of the dental gold became unusually great.

15. The Berlin Pawn Shop disposed of the jewelry for the Reichsbank. The Wertpapierabteilung disposed of the securities. Only bearer paper was, however, disposed of, and the Reichsbank still possesses all unindorsed paper which was made payable to named holders. I do not know how savings bank account books were cashed in. Mr. Eugen Deter and Mr. John of the Wertpapierabteilung ought to know.

16. The first savings bank books occurred in the twenty-third delivery on 24 April 1943.

17. I understand English, and specifically, I understand fully all that has been written above.

[signed] Albert Thoms

Signed before me this 8th day of May Nineteen Forty Six
Joseph A. Benda, Capt., AGD

PARTIAL COPY OF DOCUMENT 3952–PS

Extract of Testimony of Walter Funk, taken at Nurnberg, Germany, on 19 October 1945, 1035-1205, by Lt. Col. Murray Gurfein, AUS, OUSCC. Also present: Captain A. W. Frank, Interpreter, and S/Sgt Horace M. Levy, Court Reporter.

[Page 14]

Q. Now, when did you first learn of the fact that an attack on Russia was contemplated?

A. That must have been toward the end of April 1941. Toward the end of April '41 I heard that the Fuehrer, or somebody in his entourage had said that a war against Russia was about to break out. I remember that time, because I had a discussion with Hess on the matter. The reason was quite a different one, but it was on that occasion that Hess asked me: "Have you heard that war against Russia is pending?" I said to Hess, "I have not heard anything certain, but it appears that this sort of thing is being talked about."

COPY OF DOCUMENT 3953–PS

Excerpts from Interrogation of Walter Funk, 22 October 1945

Q. As a matter of fact, you were present at many meetings of the Central Planning Board, were you not?

A. I only joined the meetings of the Central Planning Board when I required something for my small sector; that is to say, something to do with export and consumer goods in industries; for example, iron, and I had to fight on each occasion to get just a few thousand tons for my consumer goods industry.

Q. But during these meetings you attended, you heard, did you not, discussions concerning forced labor?

A. Oh, yes, I did.

Q. And you knew from those meetings, that the policy was to bring in more and more foreign workers to the Reich against their will?

A. Yes, certainly.

Q. And you never objected to that, I take it?

A. No, why should I have objected. It was somebody else's task to bring these foreign workers in.

Q. Did you believe it was legal to take people against their will from their homes and bring them into Germany?

A. Well, many things happen in wartime which aren't strictly legal. I have never wracked my brains about that.

COPY OF DOCUMENT 3954–PS

AFFIDAVIT

STATE OF NEW YORK }
} SS
COUNTY OF NEW YORK }

FRANZ B. WOLF, being first duly sworn upon oath, deposes and says:

I was born in Stuttgart, Germany on June 15, 1900, and I am presently employed as an editor by the Research Institute of America, Inc., 292 Madison Avenue, New York 17, N. Y. I have been employed in that capacity for over three years, having immigrated to this country from Germany on March 5, 1936. From July 1925 until January 1936 I was financial editor of the Frankfurter Zeitung in Frankfurt on the Main, Germany.

When the Nazi Party assumed control of the German government, I considered this development as the first indication that it would be necessary for me to leave the paper and probably the country. When the Nazi Party enacted the Editors Law of 1933, I was convinced that I would be unable to continue permanently. I was, however, allowed to continue my service to the paper temporarily on the basis of a transition clause contained in the Editors Law.

Under this Law, all members of the working press in Germany had to register and could continue in their work only if the registration was approved by the Reich Ministry of Propaganda. As a matter of principle, Jews and those who had been affiliated with certain political organizations opposed to the Nazi Party were precluded from receiving such approval. Provision was made, however, for temporary approval in certain cases. This provision was primarily meant to apply to cases requiring further clarification in regard to the applicant's ancestry or political affiliation. The provision, however, was also used in a number of other cases where the eventual denial of permanent approval was a foregone conclusion. The majority of these cases concerned Jewish editors on the staff of the Frankfurter Zeitung, particularly on the staff of its financial and business section.

I was willing to take advantage of this temporary approval—as were a number of my colleagues—for two reasons: first, it gave us an opportunity to inform the readers of the paper inside and outside of Germany about some of the characteristics of the Nazi regime a trifle more frankly than the remainder of the German press would; second, it gave us an opportunity to train new staff members who might take over at the time of our eventual departure and might attempt to preserve the paper in such a fashion that its democratic tradition could be revived after the Nazi terror had passed. It is possible that the officials who granted the temporary approval suspected our motives but it is certain that, if they did, their decision was made in spite of this for entirely different reasons.

Within the German press the Frankfurter Zeitung played a unique role in several respects. Its democratic character, its intellectual standards and its moral integrity were highly regarded by many members of the professional and business classes in Germany and abroad. In addition, the financial and business reporting and analysis were of such caliber that the paper was considered indispensable to those in Germany and abroad who were dependent on sound information about developments in German business and finance. If the Jewish editors who were on the staff in 1933 had been eliminated without a transition period of at least two years, the paper could not have continued its customary service and might have been forced to discontinue publication altogether.

The publisher, together with some of the senior editors and some friends of the paper, brought this situation to the attention of the Ministry of Propaganda and were supported in their request for consideration by the Ministry of Economics and the Foreign Office. In these representations, the service of the paper's financial and business sections to the German business community was heavily stressed. This was facilitated by the unusually high regard which virtually all influential businessmen, as well as all members of the press, had for the senior financial editor of the Frankfurter Zeitung, Albert Oser, who played an important part in presenting the paper's case. It is reasonable to assume—that this same high regard was shared by Walther Funk, who at that time was Undersecretary of the Ministry of Propaganda in charge of the press and, therefore, had an important voice in making these decisions.

There is every reason to believe, however, that the consideration shown by the Nazi government to the Frankfurter Zeitung (by temporary approval of Jewish editors as well as in other respects) was primarily due to the fact seemingly undisturbed continuation of this paper served the purposes of the Nazi government. If the newspaper went out of business, this act would be very conspicuous. It would harm the interests of German industry at a time when the Party was trying to curry its favor. It would emphasize the complete control of the German press, a fact of which large segments of the German population were still oblivious or only vaguely aware. Most importantly it would attract foreign attention to the complete Nazi control over Germany. The paper's continuation, on the other hand, would tend to deceive many people who considered its daily appearance as a proof that there was still some leeway that Nazi control could not be as much of a threat as it was said to be. Thus, continued publication of the paper by a staff that was able to continue in its traditional style and character as much as the government would permit, was in the interests of the Party so long as its success in Germany depended upon deceiving the German professional and business men as well as foreign business leaders and government officials about the true nature of the Nazi regime.

All the observations I was able to make while still in Germany convinced me that deceit of important segments of the domestic and foreign public was the true purpose of the Nazi government when it maintained temporary approval of my registration as an editor until the end of 1935.

I have absolutely no reason to believe that this temporary approval—or that of any other Jewish editors—was motivated by any sympathy for the purposes, much less by any consideration for the editors concerned.

FRANZ B. WOLF
/S/ Franz B. Wolf

Subscribed and sworn to before me on 29 day of April, 1946.
ELIZABETH COUGHLIN
(Notary Public)

COPY OF DOCUMENT 3956–PS

AFFIDAVIT

Captain SAM HARRIS being duly sworn, deposes and says:

1. In August 1945, I was detailed by the Office of United States Chief of Counsel to Frankfurt, Germany, to examine evidence of possible use against the major German war criminals.

2. My investigation disclosed that many boxes, suitcases, and trunks containing articles such as bracelets, eye-glass frames, rings, and gold teeth were in the vaults of the Reichsbank at Frankfurt. An examination of these articles suggested that they had been taken from German concentration camp victims. Accordingly, I arranged for a movie and still photographs to be taken thereof by Lt. Braggins and Mr. Goldstein of the Photographic Unit of the United States Office of Strategic Services, then located at Wiesbaden, Germany.

3. I have seen the movie marked USA Exhibit No. 845 and certify that to the best of my knowledge and belief, it is the movie which was taken at my request and that it truthfully and correctly exhibits the articles which I examined in the vaults of the Reichsbank at Frankfurt, Germany in August 1945.

[signed] SAM HARRIS
Capt. JAGD

Sworn and subscribed to before me this 9th day of May 1946.
[signed] J. HARTLEY MURRAY
Major, JAGD

Berlin, W.8 Vossstrasse 6, 20 April, 1941
The Reich Minister and Head of the Reich Chancellery.
RK 204 B Secret
Please quote this Ref. No. in further letters.

[Stamp]
At present Fuehrer's H.Q. Mail to be sent exclusively to the Berlin address.

[Stamp]
The President of the Secret Cabinet Council. Received 23 April, 1941. . enclosures.

To: The President of the Secret Cabinet Council Reich Minister Freiherr von Neurath.

Subject: Air raid shelters for the official residences of Reichministers.
Reference: Letter of the Reich Minister for Finance of 10 April of this year. LU-4760-490- I Secret.

In order to be able to arrange for the appearance in the budget for the financial year 1941—Single Plan I—of the means required by the Reich Minister for Finance for the purpose of building a shelter on the property in Berlin occupied by you, I request you to communicate to me as soon as possible the expected amount of the expenses when doing so. Please indicate the street and house number of the property in question.

[signed] Dr. Lammers.

Berlin W 8 Vossstrasse 6, 8 April, 1942
The Reich Minister and Head of the Reich Chancellery.
RK 4768 B
Please quote this Ref. No. in further letters.

[Stamp]
The President of the Secret Cabinet Council. Received 11 April, 1942. enclosures.

To: The President of the Secret Cabinet Council, Berlin W 8, Vossstrasse 6.

Subject: Budgetary material for the financial year 1942.
Reference: Letter of 29th December, 1941.

The Reich Minister for Finance has agreed that the budgetary needs announced by you for the financial year 1942 be shown in Single Plan I.

I therefore have no objections to having the necessary expenditure granted—even before the establishment of Single Plan I—within the limits of those amounts, namely:

For personal administrative expenditure up to	28,500 RM
For official administrative expenditure up to	25,500 RM
Total	54,000 RM

By order

[signature illegible]

Berlin, W.8. Vossstrasse 6, 30 September 1942

The Reich Minister and Head of the Reich Chancellery.

RK 13666B

Letter of Authorization

The President of the Secret Cabinet Council is hereby authorized to issue orders of payment in October 1942 within his administrative sphere of jurisdiction to the debit of the financial year 1942 up to 2700 Reichsmarks.

By order

[signature illegible]

[Stamp] Reich Chancellery.

Berlin, 8 January, 1943

Office of the President of the Secret Cabinet Council.

To: The Reich Minister and Head of the Reich Chancellery, Berlin W 8, Vossstrasse 6.

As a result of the terror raid of the 23rd August, 1943, the official residence of the President of the Secret Cabinet Council, Reich Minister Freiherr von Neurath, in Berlin-Dahlem, Rheinbabenallee 23, has been damaged and become uninhabitable. A thorough repair of the rooms has proved to be impossible at present. The Reich Minister is therefore living until further notice in Leinfelden on the Enz, post office Enzweihingen (Wurttemburg), from where he continues to conduct his official business via his office in Berlin, Vossstrasse 6.

The drawing of the contributions for heating, hot water, and electric current consumption has been discontinued as from October, 1943.

For the restitution of the contributions still paid for the month of September 1943 under Chap I, Par. 2, 1.1 for hot water and electric current, a total of 28 Marks, an advice note will be sent to the Reich Treasury.

The three servants' quarters in the basement and the garage have remained habitable, so that there will be no change there.

[signed] Koeppen

Berlin W 8, Vossstrasse 6, 4 March, 1943

The Reich Minister and Head of the Reich Chancellery.

RK 2657C

[Stamp] The President of the Secret Cabinet Council
Received 8 March 1943.

To: The President of the Secret Cabinet Council, Berlin W 8, Vossstrasse 6.

In reply to your letter of the 12 February 1943, I beg to inclose herewith the letter of authorization for the month of March 1943 —Financial year 1942—and would add that the Reich Treasury [Reichhauptkasse] has been advised accordingly.

Of this sum is intended:

For personal administration expenses	600 RM
For official administration expenses	2,000 RM

By order

[signature illegible]

[Marginal Notes:]

1. Entered on the list
2. Zdk.

Berlin, 20 April, 1945

The President of the Secret Cabinet Council.

In accordance with the comparative scale drawn up by the Reich Building Office, Reich Minister Freiherr von Neurath has to make a monthly contribution of 16 RM for the electric current used in his official residence at Rheinbabenallee 23, Berlin-Dahlem. A total of 48 RM is therefore due for the months of January, February, and March 1945.

In agreement with the Reich Minister and Head of the Reich Chancellery, the Reich Treasury is hereby advised to accept the sum of 48 RM and to enter it as a credit under Chap I, Par. 2, 1.1 of the Administration receipts of the ordinary Budget for 1944.

By order

To the Reich Treasury.

STATE OF CALIFORNIA)
) SS:
COUNTY OF LOS ANGELES)

Lloyd Louis Garnell (formerly Lloyd Louis Goldstein) being first duly sworn upon oath deposes and says:

By court order of the District Court of Los Angeles County, California, No. 508070, dated 8 February 1946, before Judge Samuel R. Blake, my name was changed from Lloyd Louis Goldstein to Lloyd Louis Garnell. At the present time I reside at Hotel Gilbert, 1550 N. Wilcox, Hollywood, California.

From 24 November 1941 to 13 December 1945 I was assigned to the Office of Strategic Services, Field Photographic Branch, from the U.S. Navy, holding the rank of Chief Photographer, USNR, serial number 316-350.

From June 1945 to 22 September 1945 I was assigned to the Office U. S. Chief of Counsel for the Prosecution of Axis Criminality, Nurnberg, Germany. During that period it was my responsibility to take official photographs for the Office U.S. Chief of Counsel to be used in the prosecution of Axis war criminals. On assignments for the Office U.S. Chief of Counsel it was customary for me to work in conjunction with Lt. Robert M. Braggins, Jr., USNR, also assigned to the Office U.S. Chief of Counsel from the Field Photographic Branch of the Office of Strategic Services.

On 21 August 1945 Lt. Braggins and I were requested by Captain Sam Harris, JAGD of the Office U.S. Chief of Counsel to take both still and moving pictures of certain materials in the Reichsbank vaults in Frankfurt, Germany. These vaults were located in the cellar of the Reichsbank building and had to be reached by passing through a series of seven vault doors. On entering the final vault we found materials consisting of boxes, suit cases, and trunks which I saw contained such articles as bracelets, eye glass frames, cigarette cases, rings, gold teeth, foreign currency, stamp albums, diamonds, rubies, other precious gems, and gold bouillion bars.

In accordance with Captain Harris' request Lt. Braggins and I took two sets of pictures of these items, one consisting of stills and the other of motion pictures showing Lt. Braggins handling the items described above. I took approximately two dozen still pictures with a 4x5 Speedgraphic camera with a flash gun attachment. The moving pictures were taken with a Mitchell camera and I used approximately 400 feet of Plux X film. Included among the objects photographed were certain sequence markers bearing the legend "SPX War Crimes, OSS take, Reichsbank Frankfurt, 21 August 1945, Braggins and Goldstein". After these pictures were taken the films were delivered to Commander James B. Donovan of the Office U.S. Chief of Counsel for processing.

After the still pictures were printed and the motion pictures developed I saw samples of both and I recognized these prints and movies to be the pictures we had taken.

[signed] Lloyd Louis Garnell

Subscribed and sworn to before me this 13th day of May, 1946.

[signed] Fred Steele

TRANSLATION OF DOCUMENT 3992-PS

Excerpt from Testimony of Witness

Criminal Court Vienna I

March 19, 1946 Beginning: 10 o'clock

Present:

Judge: Oberlandesgerichtsrat Dr. SUCHER

Court Reporter: Dr. OTTAHAL

CASE vs DR. GUIDO SCHMIDT

The witness is admonished that he answer questions put to him to the best of his knowledge and belief, and tell the truth, the whole truth, and nothing but the truth. He is further admonished to make such statements as he may confirm under oath if necessary.

Concerning personal data he states:

1. First and last name: Dr. Andreas MORSEY

* * * * * * *

2. Seyss-Inquart?

I see from press reports concerning the Nurnberg trial that Seyss-Inquart claims he was never "illegal." I call that perfidious hair-splitting and I am going to prove it as follows: The generally used expression "illegal" is always identified with membership in the NSDAP (Nazi Party) during the years from 1933 to 1938. In so doing, one forgets completely that there existed another illegal organization which was outlawed, namely, the Styrian Heimatschutz Group Kammerhofer. I belonged to this organization until 1932 and then withdrew and resigned my office in Kammerhofer's presence because Kammerhofer, at a district meeting in my district, had said: "We are Germans and fight for the Fuehrer of all Germans, Adolf Hitler." Thus, the leader of the Styrian Heimatschutz Kammerhofer designated arbitrarily the Styrian Heimatschutz as a combat group of Adolf Hitler.

In 1932, Kammerhofer concluded in Liezen with Obergruppenfuehrer Reschny the so-called Liezner Agreement according to which both organizations were fused. At that time, together with me, most of the members of the Heimatschutz of the districts in East Styria resigned. They refused to accept the leadership of the Styrian Heimatschutz and placed themselves directly under Starhemberg's command. On March 7, 1938, Seyss-Inquart told me personally that it was only in 1932 that he joined the Styrian Heimatschutz, that he was accepted by the commander (Landesleiter), the engineer Franz Pichler of Waitz, and that he never resigned. In other words, he joined this organization just prior to its being outlawed in 1933 and at a time when Kammerhofer presented the Styrian Heimatschutz as a combat force of Adolf Hitler, doing so not only in my district, but throughout most of Styria and in the same year when Kammerhofer and Reschny carried out the fusion. Therefore, Seyss-Inquart's statement that he was not a member of the NSDAP is, perhaps, formally correct, but the statement that he was not illegal, is an intentional falsification. On the same day and during the same conversation, Seyss-Inquart represented the Anschluss as being imminent and said: "Hitler would perhaps be satisfied for the time being if we" entered into the Italian-German alliance "as a movable link," if we pursued a purely German policy and if we did not enter into any agreements whatsoever with any nonGerman country such as Czechoslovakia, France, etc. However, the Fuehrer is at the present time under Rosenberg's influence and it is the latter who is pressing for the Anschluss.

[signed] Dr. Andreas Morsey

TRANSLATION OF DOCUMENT 3993–PS

Berlin W 8, 1 Voss Strasse, 30 January 1939

Der Stabschef [Chief of Staff]
To: Reichleiter Alfred Rosenberg
Margarethenstrasse 17
Berlin W 35

Dear Party Member Rosenberg:

Please accept my thanks for your congratulations incidental to the Fuehrer's decree which assigns all pre-military and post-military training to the SA.

With the assurance of my continued loyalty as fellow combatant and in comradeship

Heil Hitler
Your
[signed] LUTZE

Date stamp at Rosenberg Chancery:
Entered under No. 6009
Received: 31 January 1939
Filed [?] L
Rt; submitted 31 January

TRANSLATION OF DOCUMENT 4004–PS

HOURS OF HISTORICAL DECISION

By SS Brigadefuehrer Fritz Rainer Gauleiter of Salzburg

We were in the battle all through March 11, 1938. At 5 o'clock Globocnik and I had gone to the Federal Chancellery where we met Dr. Seyss-Inquart who had been in the most gruelling negotiations ever since 1 o'clock. We had to force the formation of the National Socialist cabinet under Dr. Seyss-Inquart that very night, or else civil war would have flared up. At 7:30 Miklas had said his last word. He remained firm and refused to have a government under a National Socialist Federal Chancellor.

I agreed with Globocnik that he should stay in the Federal Chancellery and advance there the development by all means while I hurried to the command posts of the party to give the orders for the occupation of the country. Klausner, the recently deceased Gauleiter of Carinthia, had given both of us general authority. At 8 in the evening I met at headquarters in the Seitzergasse, Lukesch, the Fuehrer of the SA, and Kaltenbrunner, the fuehrer of the SS. Lukesch was able to mobilize 6,000 SA men within half an hour. In addition Kaltenbrunner commanded 700 SS men. These 6,700 men received the order to advance toward and occupy the Federal Chancellery and to hold the Ring and the building until the National Socialist Government was proclaimed. A special detachment of 40 SS men under the command of Kaltenbrunner's adjutant, Felix Rinner, received the order to force their way into and occupy the Federal Chancellery.

In the meantime Klausner had arrived. I asked him for the instruction to issue to all nine Gauleiters in Austria the order for the seizure of power by the party. At 8:30 this order was issued and with it the seizure of power for A. Hitler rolled over the country. Upon an urgent call from the Federal Chancellery I returned at 9 o'clock to that place. When I arrived at the gate, entrance was refused. Through the narrow peephole I saw the shining bayonets of the guards. The building was occupied by the police and the guards. Outside security guards were concentrated in large numbers. At last, upon the intervention of Dr. Seyss-Inquart, I was admitted through a back-door, had to climb over machine guns and open munition boxes in order to get to the second floor where my comrades were assembled. Under these circumstances I deemed it impossible for Felix Rinner to carry out his order. Now there arrived minute after minute the news of the occupation of the country and of the most important positions in Vienna. General Secretariat of the Fatherland Front, Ministry of War, Trade Unions' Building, Ravag. It was going on 10 o'clock when the commanding officer of the guards reported to the Minister of Security, Dr. Seyss, who happened to be in our room, that a man accompanied by 40 others demanded to be let in through the gate, invoking higher orders. I quickly informed Dr. Seyss that these were Rinner and his 40 men who had been detailed for the occupation of the Federal Chancellery. Dr. Seyss ordered that Rinner be brought upstairs. I shall never forget this moment. Escorted by a guardsman as tall as a lamppost, Felix Rinner, the famous Austrian track champion and all-round athlete, stepped into the room where expectation had reached the boiling point. He wore a shabby dark overcoat, no hat, his face was pale and resolved, a swastika brassard was around his arm. Rinner was the first National Socialist Sturmfuehrer who entered enemy headquarters during the night of liberation.

Dr. Seyss, on his own responsibility, gave the order to open the gate and to let the 40 men in. These 40 men knew what was at stake for them. Two-thirds of them had been there on July 25th, 1934, when the SS Standarte had for the first time fought its way into the Federal Chancellery. Then they had faced death boldly for weeks and for years had they been in prison. Now they had fallen in a second time to force the decision for the movement. They had nothing but pistols, no uniforms, the swastika brassard over the coat, 40 determined men whom no power could oppose. While the political negotiations continued and from the country there came in by telephone one victory message after another, while the report of the investment of the Federal Chancellery by 6,700 stormtroopers was carried to Miklas and gigantic demonstrations of the population assembled in Vienna surging toward the building, while the members of the coming cabinet, first of all Klausner, arrived at the Federal Chancellery, while all these nightly events rolled off in feverish haste, Rinner posted one SS guard after another in the Federal Chancellery. Ludwig was still hanging on the telephone and begging Paris and London for help when suddenly two SS men as tall as lamp-posts entered his room and took their posts. He then gave up. Under the pressure of this national uprising and of the news from the Reich, Miklas collapsed. He accepted the resignation of Schuschnigg and entrusted around midnight Seyss-Inquart with the formation of a cabinet. He had to set his signature under the new cabinet, then he was escorted to a motor car. When he stepped out of his room, two SS men were posted as sentries at the door. He took off his top hat and bowed before them who looked at him in iron discipline and cold contempt, leaving his office never to return.

I hereby certify that the above document is a complete and correct copy of a newspaper article by Dr. FRIEDRICH RAINER published on 12 March 1939, and that this copy is part of the files of the Landgericht for Criminal Procedure Vienna in the case against Dr. SCHMIDT and others.

Nurnberg, 10 June 1946

[signed] Dr. Wolfgang Lassmann

DR. WOLFGANG LASSMANN

[Seal] Representative of the Republic of Austria

Federal Ministry of Justice.

TRANSLATION OF DOCUMENT 4005–PS

[The attached document is the text of a speech made by Dr. FRIEDRICH RAINER on 11 March 1942 in Klagenfurt before the Leaders Corps and the bearers of honor insignia (Ehrenzeichen) and blood orders (Blutorden) of the Gau Karinthia. This document is part of the files of the Landgericht for Criminal Procedure Vienna in the case against Dr. SCHMIDT and others.]

National Socialism in Austria from the July Rebellion in 1934 to the Seizure of Power on 11 March 1938.

Speech by Gauleiter Dr. Friedrich Rainer made on 11 March 1942 in Klagenfurt before the Leaders Corps and the bearers of honor insignia [Ehrenzeichen] and blood orders [Blutorden] of the Gau Karinthia.

My Party comrades, Ladies and Gentlemen:

* * * * * * *

Beginning with back of page 7

* * * We had the following political attitude:

The Ministry Glaise-Horstenau was designated to function as appeasing Ministry. Negotiations were under way between the German Reich and Austria with regard to the press system and the exchange of books. Within the Party internal discussions started again within a short time. Differences of opinion about the agreement soon appeared again. That led to the fact that Captain Leopold began to represent a different attitude from that of us three Karinthia representatives. Leopold was of the opinion that it would be possible to get permission from Schuschnigg directly to rebuild the NSDAP in the form of a cultural association. We were of the opinion that any legal form of association (even a rabbit breeding association) could only be permitted if we made an ideological compromise; but this would be impossible. The ideological line must be kept.

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I relied on the Fuehrer word: "My idea will also melt those ice blocks on the other side." From this I recognized that the Fuehrer, first of all had confidence in the dynamics of his idea. Then: "Did you use all political possibilities." There were different ones to be utilized in the process of which we tried to avoid bringing the unity of the Party to a breaking point again. That demanded the severest personal sacrifices. We had to take accusations bordering on the grotesque. We had to meet situations sounding overaged today; at that time it was a matter of life and death. We had to fight it through. I tried over and over again to explain my attitude to Leopold and his co-workers. Jury again and again met me half way. After Leopold expressed confidence in myself and Globus, Klausner was compelled to talk to him. There were, to say it again difficult discussions. There already was a representative of the Reich involved, Gruppenfuehrer Kepler and his co-worker Kaesemeier, who were present as the official representatives of the Fuehrer.

At the end of 1936 the time had come when Kepler declared unequivocally: The political programatic represented by the Carinthians is the only correct one. But it must be tried to make this attitude into the generally accepted one, so that Leopold is converted to it. I should like to state: Party comrade Leopold, who was killed in the East, stands firmly in his clear-cut attitude; existing political mistakes cannot be considered as a guilt in retrospect.

At that time it was difficult to find the right way. I believe that it was only possible for us to follow the right way at that time because we were with the Fuehrer on 16 July, and heard from him what he wants. In the most difficult moments I always tried to remember: "What did the Fuehrer say?" I cannot and I must not deviate from it. This attitude was right. At that time we made political progress. Schuschnigg soon demonstrated that he only intended to be a chiseler. Leopold saw that a compromise would not work. The "Seven Committee" also did not progress very far. A number of gentlemen tried to find a platform; Wolsegger and Hasslacher worked on it. Only in cooperating with us—Jury and a number of co-workers of Leopold—and also with Leopold's consent it was possible to achieve Seyss-Inquart's appointment to the post of State Council [Staatsrat], July 1937.

More and more Seyss turned out to be the clever negotiator. We knew that he was the one who would best represent the interests of the movement in the political forefield. He also unconditionally subordinated himself always to Klausner's leadership. He always conducted himself as Klausner's deputy and consciencociously followed Klausner's instructions. With Seyss' appointment to the post of Staatsrat we found a new possibility to enter into further negotiations. At that time there were a number of very grotesque situations. We were informed on events in the Schuschnigg camp by the political apparatus, our own connection to Ribbentrop, Goering and Himmler we have via Kepler.

In a cafe in the Ringstrasse negotiations between us and Reich German representatives took place. We again had conferences with our people in the government or at another key point in the Austrian system to an extent that we were able to penetrate into the Ministry. And, when the commission was formed, the Reich German commission on the one side and the Austrian on the other, it was always the following game; the Reich German Commission was informed up to the last detail and these conferences always ended with a hundred percent victory for the German Reich. We got more and more opportunities to make our wishes felt in the Reich. With regard to exterior conditions the developments between the government and the LS-population became constantly more critical. The Neurath visit led to demonstrations; a new wave of arrests came. In November 1937 the situation was such that a break or further violations of the relation between Germany and Austria were inevitable. It was Globus who first had the idea: "A Schuschnigg visit to the Fuehrer must take place."

He told me that it was necessary. I was against it; it would be impossible and too dangerous. We cautiously considered the idea in Berlin and Kepler presented it to Ribbentrop. Papen was commissioned to make preparations for this conference.

Papen had been expressly told to handle preparations for the conference confidentially. In Austria only Schuschnigg, Schmidt, and Zernatto knew about it. They believed that on our side only Papen was informed.

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Papen too, thought that only he knew about it but we too were informed and had had conversations with Seyss about the subject. Now Schuschnigg still wanted to speak with Seyss and make some concessions before he went to Berchtesgaden, which he would announce to the Fuehrer at the Obersalzberg. We were invited by Tschammer to the Olympic Games to Garmisch and when we found out, Zernatto said: "I see you go with mixed feelings." We then had a meeting with Papen and with Seyss. Tschammer and Papen went through some negotiations. Globus and I then went to Berlin and made there a number of demands of the party. All July putschists should be released, as well as all "explosive matter-criminals" [Sprengstoff-Verbrecher] and given total amnesty, a further ministry formed which was to be given as ministry of the interior and of safety into Seyss' hand, etc., readmission of swastika armband, etc.

It was just before our departure from Berlin. We had continued working during the night and made plans with our Berlin friends. In the morning we had the feeling: What will happen if Schuschnigg accepts the demands, then there would be the danger that he was legal, that we would have to reckon with him. In all haste we composed a report declaring that the party needed these conditions, but if possible without Schuschnigg; he would never be a partner. Then we threw Ribbentrop's adjutant out of bed and asked him to pass the report on to Ribbentrop. Then we were in Berlin and Schuschnigg asked Seyss again for a conversation at his place. Seyss had been negotiating for months the so-called Klausner program. Schuschnigg wanted to accept this and Seyss told him that in the meantime the situation had changed. The situation has stiffened. The two separated without a result, after Schuschnigg had dragged out the conversation long enough as to just have time to drive to the station to catch the train to Salzburg. Zernatto wrote a book about these days and said: "We are realizing, more and more, that Seyss was a stooge and that behind him were to be found a number of SS officers among whom are Klausner, Globotschnig, and Rainer and that these people are the real wire-pullers. We had always thought that nobody knew about this visit to Berchtesgaden except Papen, the queer behavior of Seyss made the Austrian Chancellor very apprehensive. One knew that Seyss must have known about it. (Au revoir in Salzburg.)

Schuschnigg's opinion was that the Reich in view to the foreign policy situation (Paris and London) needed again to make an agreement in the style of 1936. It would be sufficient if Schuschnigg made a number of concessions. They would separate, the Fuehrer would be enthusiastic, the matter would be settled.

We had already prepared the following:

The last result of the conversation Seyss communicated to me in a place in the Kaertnerstrasse. I called the telephone number where Globus [Globocnik] was to be reached in Berlin, and told him about the negative result of the conversation. I could speak with Globus entirely freely. We had a secret code for each name, and besides we both spoke a terrible dialect so that not a soul would have understood us. Globus immediately wrote down this report, and communicated it immediately via the security office by teletype to Munich, where it was written down. In the meantime Kepler had gone to Munich by sleeping-car. When he left the train the Statepolice Munich handed him the letter with the latest Vienna report, with which he left for Berchtesgaden. I then forwarded instructions by Party member Muehlmann who proved to be an excellent liaison man to party and government offices in the Reich. He left for Salzburg on the same train as Schuschnigg. While Schuschnigg had his car taken off at Salzburg and spent the night there and continued by auto to the Obersalzberg on the following day, Muehlmann continued on and was in Berchtesgaden. Kepler and he went to the Fuehrer before Schuschnigg and could tell him everything. Schuschnigg arrived in the morning, was received, and lived to see the boundless surprise that the Fuehrer took up the negotiations where they had broken off without results the day before between Seyss and him. The Fuehrer did not conduct the negotiations as Schuschnigg expected. He went the whole hog. Schuschnigg was finished off that time. The Fuehrer got hold of him, insulted him [beleidiste] and shouted at him and reproached him for all the dirty tricks Schuschnigg had committed during the years past. Schuschnigg had become a heavy smoker. We had connections even into his bedroom. We knew about his way of life. Now he was smoking 50, now 60 cigarettes. Now at the Fuehrer's he was not allowed to smoke.

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Ribbentrop told me he really pitied Schuschnigg. He only stood at attention before the Fuehrer, had his hands against the seams, and all he said was "Yes Sir" [jawohl]. Schuschnigg tried to object to something but got so terribly shouted at that he fell back into silence. Then the meal was taken. Then the Fuehrer called Sperle who had just relinquished the Command in Spain. The Fuehrer asked him to speak about the air force [Luftwaffe].

Schuschnigg was given a very impressive picture of the German Army. Keitel too was present. After the meal the Fuehrer asked Ribbentrop to continue conversations with Schuschnigg. Before the conversation with Schuschnigg began, Schmidt went to Ribbentrop and said: "Please permit that the Austrian chancellor smokes one single cigarette," which was allowed. Ribbentrop then talked to him: "Now look at the situation as it is—the Fuehrer is not a man to joke with. There are chances for you; the Fuehrer wants to conclude the treaty with you, if you concede." The development leads to National Socialism. He developed before him how Hitler saw the future Reich, how the Anschluss was. Ribbentrop had the feeling of having mollified Schuschnigg by his kind words. So it was possible to draft a number of regulations in the final conversations.

Schuschnigg had taken it onto himself to obtain President Miklas's consent. During this conversation, which lasted for quite a while, Zernatto in Vienna was hanging nervously on the telephone. He called up the security director, who is still in the CC [KZ] to day, in Salzburg and asked about Schuschnigg, and when Schuschnigg did not come back, he understood that the conversations were not developing as desired, as Schuschnigg was being delayed at the Obersalzberg. Preparations were made to liberate the Federal Chancellor; the Salzburg garrison was mobilized but not put into action, but it was ready.

In the meantime Schuschnigg was back and had spent the night in Salzburg. Zernatto wanted to learn something from him and tried to speak to him over the telephone but Schuschnigg was finished.

We were in Vienna and got our news. Zernatto was in greatest anxiety. He was at the station the following day to meet Schuschnigg, spoke with him and got the following description: "The Fuehrer is a devil, he is a Beserk, a lunatic. It was terrible, the way he treated me." Schuschnigg was so much under the weight of the events that he was completely without a will of his own. He was simply k. o. Guido Schmidt too confirmed that it had been terrible. Ribbentrop had been kind, he had been the only one.

Now the treaty had to be ratified by Miklas. The good old catholic Miklas, who was under the influence of the Pope, was not easy to fell. We had to fight for 3 days with the result that even the threat of an invasion was made, that Miklas's confessor finally was informed by us. Finally Miklas signed the contract but with greatest repugnance. You know the result. A Ministry was formed with Seyss, Schuschnigg took the opportunity of not only taking in Seyss but also other people who were to counterbalance him.

Also a possibility for activity of the National Socialists was allowed, not for the NSDAP, a considerable enlargement of the demographic department [volkspolitisches Referat]. These demographic departments had already been set up before with consent of the Reich. Their purpose was to form an outlet for the spokesmen of the nationalistic part of the population.

I must state here, that these demographic experts worked very well and the men were all decent without exception. The most difficult case at the time seemed to be in Carinthia. The chief of section Perkonig was described to us in a biased way. In Maier-Kaibitsch's office-room Perkonig sided unconditionally with the party and he kept his promise. In that way we had the possibility through this man in whom Zernatto as well as Schuschnigg confided, to have news brought to both these men. And besides these demographic departments were organized with Seyss as chief and Jury as his deputy. The leadership of the party the Fuehrer had transferred to party member Klausner who in the meantime had had a conversation with the Fuehrer at the Reich Chancery at Berlin where he had made a report to the Fuehrer about the development in the last years. So shortly before the decisive actions, the complete unity of the NSDAP was reestablished. Klausner re-established the old construction, which had been formed for the first time at the Kaertner Hof in 1935 which had been renewed in 1936 and which then had to struggle with difficulties for a long while.

Now came a period during which we had to be ever so careful and had to be clever politicians.

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It was therefore difficult, as it was clear that Schuschnigg looked for possibilities to get out of the Berchtesgaden agreement.

Schuschnigg wanted to bring the party into opposition to the policies of the Reich. Schuschnigg figured that the German Reich could not stand a burden on account of foreign politics. He wanted to create a situation in Austria which would make Germany the mischief maker, in order to get a guarantee of independence for Austria from Paris, London, and Moscow-Prague.

In those last days of February Schuschnigg made a step from a Catholic politician to a politician who is ready to ally himself with the Soviets in order to prevent the "Anschluss". He prepared the formation of a black-red coalition. This made the situation of the party difficult. At the same time we received the strictest instructions from the Fuehrer. According to the February agreement it was as follows: The Fuehrer salute could be used, the songs were sung. Large demonstrations occurred at Graz.

The Fuehrer sent us Kepler with instructions to be extremely careful regarding the political developments of the Austria situation. Kepler was sitting in the airplane when he was recalled. He said: "We have to go the road of the revolution, no uprising shall develop as yet; we shall not whirl for the time being. Klausner kept the party back. Those are the reasons why the demonstrations of Graz which had been prepared and which had started, had to be recalled. Such was the situation in Graz that Schuschnigg believed that it might become necessary to use troops and he hoped to split the party from the government of Seyss and Glaise."

Significant was the following: It could be seen from these actions that the men of the party marched according to a political command. Just as they assembled, they also departed on the minute. When the troops arrived the streets of Graz were free. When Seyss visited Graz, the whole city was covered with swastikas for one hour, but one hour later everything had quieted down. Schuschnigg now recognized that the party had political leadership and those who march on the streets are like those who are in a reserve position, and the party is not blind but has political leadership. In this manner the plebiscite developed by which he hoped to take the Reich by surprise and to hasten the guarantee of the Western States for an independent Austria.

These actions had another consequence. The Fuehrer could convince himself that the party in Austria is ready and that the masses of the population are on its side. This was decisive for the decision which the Fuehrer had on 11 March. The Federal Diet [Bundestag] took place and Schuschnigg said again and again "very good for Austria". I was with Reintahler as a representative of the people in the visitor's gallery of the Bundestag. That was the first time I saw Schuschnigg really well, previous

I only saw him fleetingly in a theater box. I saw how unnatural this man was in his behaviour and his speeches. I saw the big propaganda circus of Zernatto. Our political outposts, Seyss and Glaise, were very much perturbed about this conduct of Schuschnigg showing complete lack of understanding while we three people from Carinthia rubbed our hands. Who will make the first mistake? We lay in wait; the one that makes the first mistake will be at a disadvantage; Schuschnigg made this mistake. He saw that the development continued without a stop and nothing seemed to disturb the road of evolutionary "Anschluss" with the Reich. It will take months. He could participate in this development by letting himself be carried by it. He would have been ousted honorably, but Schuschnigg returns to his old German-baiting attitude. He ties up with the Reds. We received news that he begins to negotiate with this group of the mayor of Vienna Smitz, that Smitz negotiates with Seitz and with Communistic leaders, that certain fighting organizations are secretly formed and that they are tolerated by Smitz, the mayor of Vienna. We received news that a federal councilman [Bundesrat] proposes a plebiscite to Schuschnigg. At 9 in the morning of Wednesday, 9 March, Globus and I were riding in a loaned car—which was our pride—from the illegal shack [Bude] in Vienna to the Seitzer street where the office of the demographic expert was located. Klausner and Jury waited for us at the door. Klausner said that Jury had interesting news; Schuschnigg intended to hold a plebiscite on the following Sunday. Klausner said that was no nonsense; it was a fact. We drove to Seitz at Hof 8 and sat down there, Klausner, Jury, Globus, and myself.
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Under a pretext Schuschnigg decided with his intimate advisers that this plebiscite shall take place Sunday. The regulations which I remember were such that the whole voting was a fraud. The rules were laid down. Only a few intimates were familiarized, Zernatto, Smitz, the whole left wing of the Christian Social party. The rules were dictated by Zernatto to his secretary. It was resolved to keep this intention secret till the evening of next day. Schuschnigg went to Innsbruck and was to announce the decision from there. Zernatto said: "It is Wednesday when the Nazis hear about it. Their actions can start at the latest on Thursday; they can begin with their propaganda on Friday. We gain an advantage of two days and with this advantage we can carry out the plebiscite with a small majority."

The secretary of Zernatto became ill, she had to go out. In reality she was a National Socialist and once outside she took a piece of paper in great haste and wrote on it what she knew and sent this slip to us by the surest method. At 10:30 we knew the whole plan. Early in the morning Seyss was taken to Zernatto. Zernatto had asked him in the name of the Bunderkanzler to give his word of honor not to speak about what he had heard. Seyss gave his word of honor. Whereupon Seyss phoned to Jury, that something was going on, he could not speak about it, but we should come to a conference. We asked Seyss: "Is it true * * *?" Seyss said: "I am bound not to speak by my word of honor, but we want to act as if it is true" (diplomat that he was). The matter was clear for us. We had a short conference. All of us were of the opinion that this was the treachery of Schuschnigg, the treachery of the agreement of Berchtesgaden. How we should react at the moment, we did not know at this moment. We had to conduct ourselves according to the Fuehrer.

We contemplated "No" votes * * * We could only do it if the Fuehrer agreed. To vote "Yes" is out of question; that could not be expected of the Party. It is only possible if the Fuehrer gives the order. It was necessary to get in touch with the Fuehrer at once on the issue of the slogan "not to vote."

Seyss and I wrote a letter which I typed myself and which was sent to Zernatto on the same forenoon. In this letter we stated that Minister Seyss-Inquart who according to the agreement of Berchtesgaden was made a trustee of a treaty between between Germany and Austria has been informed about the plebiscite. That on account of this plebiscite this agreement has been broken by Austria alone. I laid great stress about this version, and stated it was necessary for us to give the Fuehrer an opportunity to intervene. At that time the execution of the whole action was important. Direction Paris, London, always the world war was in mind. The Fuehrer had to get the possibility for German intervention on the basis of the broken treaty. We also wrote about breaking the assurances to the National Socialists. This letter went to Zernatto and a copy to Globus. The latter flew from Vienna to Berlin at about 12 o'clock. I telephoned with Kepler and told him an extraordinary important message is on the way which has to go at once to the Reich Chancellery. Globus reached the Fuehrer in a few minutes. The Fuehrer said that the lettter is a political masterpiece. "You remain here, you get a good meal and wait for the next move." Globus said, "I have to return at once". The Fuehrer said: "You will hear more."

In the meantime we took the first measure in Vienna, till we received the answer of the Fuehrer as we had to gain time. Papen had been recalled as ambassador, but had returned to Vienna. We drove to Papen in the German embassy and we had a long discussion. That turned around the question: "What will happen". Various ideas were expressed. We have to demand from Schuschnigg that he declare the Anschluss paragraph of the treaty of St. Germain invalid, then the party could vote "Yes". Then "the party can only vote yes, because it will become illegal otherwise." The situation was getting darker and more unpleasant all the time. Klausner and I sat around and we thought that there was not much to do. In the meantime the radio had begun and Schuschnigg made the speech. "Mander, it is time". The whole circus was on the loose. I then said—when we said goodbye without settling anything and without a solution—when Klausner and I went home: "It is out now, the whole thing will break loose in Austria. The party has to issue a slogan."

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I then dictated to Mohrenschild—who had remained in service in a private apartment—a directive, which during the night went out to all Gau districts in the usual way. The Party's standpoint toward Schuschnigg's proclamation is: the whole is a violation of the agreement in an internal and external political sense. The party cannot recognize this swindle. The Fuehrer will determine what is to be done. Complete abstention from voting and the orders for Sunday will follow. That was the first order.

The propaganda circus [Propagandazirkus] of Zernatto started on Thursday, 10 March. I was with his co-workers at that time. Klasner had conversations with Seyss, Jury, and other personalities. There was much activity in the streets, trucks came, airplanes dropped leaflets, and people congregated everywhere. I had a report of the former red community police, 3,000 were uniformed and armed. We still did not know what was going on. Globus has not returned. He was still in Berlin in the Reich Chancellory, anticipating events. He told everyone: "I must get back, they are waiting for me."

In the night from Thursday to Friday all Gauleiters were in Vienna waiting for information. National Socialists were attacked and so on 10 March we issued orders to the SA and SS, Lukesch and Kaltenbrunner, on our own initiative to call out beginning Friday half of our formations for the protection of National Socialists in the streets, whereas the best men were to remain armed in their barracks in the event of a civil war. We had to be ready to deal not only with the executive authorities but also with the red mob.

In the evening at 7 p. m. I received a report that a National Socialist had been knifed. He was dead or wounded. I gave orders to party member Lukesch to deploy closed SA formations in Vienna. Such a closed SA formation, not yet uniformed and without swastika armbands marched in ranks over the "Guertel," the mob raged but no one dared touch them. I telephoned to Berlin and described the situation in the worst light: civil war!

Conferences took place. Next day the total decline of the voting became evident. We were at the airport too, Seyss and Glaise arrived. They had been visiting Buerckel in the Saarpfalz. The Fuehrer had retained Glaise in Berlin. I held conversations with Seyss. We could not agree yet. The Embassy told us shipping was still open—Seyss is to discontinue negotiations. Opinions clashed. On the 11 March, after receiving the letter the Fuehrer had a short conference with officers of the Wehrmacht and ordered strategic concentration of troops. He sought to obtain the liberation of Austria by force of arms. We knew nothing about it, not even Globus. Globus returned, was sent back to Vienna Thursday evening by special airplane. Goering was against it, since the plane, having to cross Czechoslovakian territory, was in danger of being shot down by Czech fighters.

The Fuehrer gave the Party in Austria full liberty of action. He will not let us down. That was all we knew. That is what Globus told us when we went to meet him at the airport. We went to the hotel, where all Gauleiters of Austria were assembled, and were given information about the Fuehrer's message. I was determined to act accordingly in matters of Klausner. It became necessary to briefly consider all possibilities and to adjust the Party accordingly. I explained in the next 3 days, there are 3 possibilities:

1. That the people's vote is vetoed, is designated as number 1, which should be known to all Gauleiters by at least 2 o'clock in the afternoon. This means: great victory for the party, display of flags.

2. Schuschnigg could not withstand this loss of prestige and resigns. Result: National Socialistic Government.

3. Schuschnigg has rejected demands of the Reich and of the Party. Result: civil war. In this case every Gauleiter and leader of formations has to act and force the seizure of power. Fortified with this information the Gauleiters left with their cars about 1 or 2 o'clock for their respective garrisons. Next day

Glaise arrived. He brought information from the Fuehrer. Glaise with Seyss together went to Schuschnigg and demanded the fixing of a constitutional vote within a period of 6 weeks according to the constitution of the 1 May. Schuschnigg declined. The two ministers retreated to the office of direction of state affairs.

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We were all together there, Klausner, Jury, Muehlmann, Globus, and myself. The two ministers told us everything. I knew that the Fuehrer only waited for a cue from us. We retired together with Klausner, Jury and Globus, and Klausner declared: On my authority as the leader of the Austrian National Socialists I order you to issue a written ultimatum to the Schuschnigg Government. In the event of nonacceptance of the ultimatum they will have to tender their resignation by 2 o'clock in the afternoon. The text of this ultimatum, again composed by myself and Seyss, was written by me and sent to the Bundeskanzler. Upon its receipt he called together his ministers for 2 o'clock.

It was therefore not possible to enforce the time-limit of 14 o'clock. Thereupon we stated the following: if a satisfactory answer is not forthcoming until 3 o'clock at a certain telephone number, the Party will proceed to seize power. The Party will assume that Schuschnigg declined the ultimatum and that both ministers were imprisoned. In this case a proclamation already prepared for such an event and ready in the print-shops of the Party was to be issued to the population. Thus individual actions for seizure of power will be initiated.

As the loss of Party leadership would have spelled unpredictable results, Klausner and Jury had to betake themselves to a battle-station near Vienna. SA and SS have moved into camouflaged quarters. Klausner transferred to Globus and myself the further execution of political action. We took the last political documents in safekeeping. Meanwhile, it was 2:30 o'clock. I parted from Globus and went to the telephone where I was to receive Seyss call. The phone rang at 2:45. The Bundeskanzler had agreed to one half of our demand. The people were to vote on it. He declined however, to carry out the constitutional vote. Afterwards he declared a state of emergency: curfew for the population, mobilization of the Army Bundesheer and of the police. I requested Seyss to continue negotiating and I faced a difficult decision. What should I tell the Gauleiters? Since 14 o'clock they are waiting for announcement of case 1, case 2 or case 3. Was there no possibility to issue other directives? I could not wait for a directive from Berlin. It was important to me in this critical moment, to fill the party with confidence and bring them out on the streets. I passed on case 1.

At the same time the result was telephoned by the Embassy in Vienna to the Reichs Chancery. Shortly afterwards Goering was on the phone and demanded to speak to his brother-in-law Hueber. I listened to the conversation. Goering said that in the Fuehrer's name a partial solution of the problem could not be accepted. The Fuehrer had given Schuschnigg all possible chances. Schuschnigg did not react. Now, one had to speak in a different tone. The shame of fraternal war would have to cease. Schuschnigg has only time until 5 o'clock or he must resign. A government under Seyss must be formed or else we march. This report had to be forwarded to Seyss who was negotiating in the office of the Bundeskanzler. Globus went there. I changed my position and went to another telephone in the inner city. A short time later I was called by Globus. It was no longer necessary to submit to Seyss the contents of the telephone message. It was already presented to Schuschnigg in the form of a stenogram, as all conversations in the Embassy were being listened in. There was a conference between the two. In this conference, Schuschnigg resigned at 3:30 o'clock. Globus was looking for me. Seyss requested an order from me. I explained it was important to legalize the formations as quickly as possible. Seyss would have to continue negotiating. SA and SS would have to report to the police as security organs. That was done. Shortly afterward Globus appears with his car and says to me: "Things are terrible in the office of the Bundeskanzler. Miklas declines to accept Schuschnigg's resignation."

We returned to the German Embassy and Globus now telephoned Goering and told him what he had ascertained in the office of the Bundeskanzler. Goering asks for time until 7 o'clock. At the same time the German military attache was ordered to make the strength of German troop concentrations known to Bundes President Miklas. We realize that we have to accomplish everything in this hour, for the situation in Vienna could no longer be held in check. We should have had to fight the Black-Red mob that very night. We deliberated and decided to go personally to the office of the Bundeskanzler. Globus and myself and Muehlmann as our courier went to the office of the Bundeskanzler.

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On the second floor in the hall of columns was Glaise and Seyss.

I asked how things were, and Glaise said nothing more could be done. Miklas refused, and negotiations had been broken off. Seyss was finished. I recognized that too. He said he had to rest, go home for a short time. While we were talking, Zernatto came out of Schuschnigg's room. Twice I had had discussions with Zernatto and knew him. Recognizing this difficult situation, I told him my mind, that he was responsible for the civil war, the party could not go back. I held him responsible for the disaster. Zernatto was all in and said he did not know what he could do. He left the house. As I learned later, especially from his book, Zernatto had come to the following opinion: he writes: "When Globotschnig and Rainer had entered the chancellery, we knew that National Socialism could not be held back any more." Actually he drove home, informed Stockinger, put travel money in his pocket, took along the widow of Dollfuss and left by way of Pressburg as the first refugee. Globus and I wanted to talk with Miklas, but he would not receive any National Socialist. The Foreign Minister came and I said that he must see to it that the cabinet with Seyss was reorganized. He went to Schuschnigg and soon after Kepler came by special plane from Berlin with the order to urge on the formation of the Seyss government. Kepler came and I well remember how he came up and said: "Well, how do things stand with the Seyss-Inquart government?" "We are not yet that far." And then Kepler * * * is appointed Foreign Minister, Rheinthaler is going to be this, Goering has these desires * * *" Globus and I were already in a silent rage "We are not yet that far." He then went to Miklas and stated to him the German strategic concentration [Aufmarsch]. Smitz was also in there and Kepler would not permit talk of interference. He shouted at Smitz with the result that Smitz without one word went out through the door and already surrendered inwardly. He had nothing more wherewith to stem the coming flood.

In the meantime the situation was this: more and more people in the streets. We knew, that in the meantime in all the cities and villages of Austria torch processions, the demonstrations were getting under way. In Vienna also the streets were full. Many swastika armbands could be seen. The taking over of power was in full sway in the streets. It was 7 o'clock. At 7 o'clock it was so far, that, after a last attempt to negotiate with Miklas, he declared that he could not appoint a National Socialist as "Bundeskanzler". "God help me!" The situation in the chancellery [Bundeskanzleramt] had now become critical. Guards and police were occupying it. We were a very small group of illegal Nazis, really only Globus and I, a few more people of the field in between, Seyss, Glaise and Muehlmann, Kepler with Kaesemeier. At 7:30 o'clock I said, now the German Armed Forces are marching. Kepler said, the German Armed Forces are not at all marching. Yes, the ultimatum has expired. No, said Kepler, it is not so far. We must create a pretext for the Fuehrer to march in. We must take action of some sort. I said: We must use the moment, when the government believes that the march is on for action and I said, I will give the order for the "Machtuebernahme".

Kepler said, "you can not do that." I said, "Klausner will give me his consent. You are not the authority, you have nothing to command." Globus had to remain behind. I and Kaesemeier drove away. Globus had seized the telephone and constantly used the phone of the chancellery and kept up the connection with

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our party offices on the outside. In the meantime Seyss had arrived and Glaise and they steadily continued their discussions under the pressure of the German marching in "Einmarsch". At our billets we found the leaders of the party-formations in highest tension. We occupied our command post in the center of the city. Klausner and Jury arrived there also. He had left the place of safety, which he as General "Feldherr" must occupy and at this moment everything depended on Klausner. I described the situation to him and asked him for the order to strike the first blow. He gave it. I laid the order before the district leadership [Gauleitung] and with unheard of clearness and calmness gave it through by Mohrenschild over the telephone:

"1. Order: In the face of Schuschnigg's resignation and in the absence of a legal government, the leader of the National Socialists, to maintain order and safety, has given the order to Klausner, to Minister Seyss-Inquart to carry out the government, and in agreement with Seyss-Inquart issued the order to seize the power to all party-formations."

This first order was given out at 8 o'clock in the evening. In the meanwhile only one district had gone ahead and seized power —Carinthia. Sucher at that time had only requested of Pawlowski, whether he could later be judge again. He also requested, to be allowed to phone to Vienna next day, to get Schuschnigg's confirmation. In Vienna also the actions were started. The SS and SA deployment [Einsaetze] were discusssed with Lukesch and Kaltenbrunner. In the Bundes-Chancellery we could make

headway only if we got it into our hands. In this whole action we always kept the 25 July in mind so as to avoid certain mistakes and accidents which we at that time had had. I asked Lukesch: how many men can you mobilize? "6,000 men can march within half an hour." Kaltenbrunner could organize 500 SS men. These were to march to the Bundes-Chancellery. The resistance of the guards was to be overcome by fraternization. They have to take the Bundes-Chancellery. 50 SS-men, many of them men of the 25 July, received, under the leadership of Rinner the order, to occupy the building. Further orders to
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take over the Vaterlaendische Front, industrial enterprises, electric power plant, State offices, town-hall. Colonel Angelis, then liaison-man between the party and the Armed Forces, received orders to take the Ministry of the Army. In the course of the seizure of power it was funny: We called out the Hitler-Youth with the order, to create the mood for fraternization in the streets. Schoas who led the HJ, later told that he had given the order to carry fraternization to the extent that girls could throw their arms around a policeman's neck. The whole inner city then was full of people and in all the other Bundeslaender it was exactly the same. The demonstrations of joy mounted. In the meantime was the last address of Schuschnigg, which ended with the song "Roses from Tyrol". Then Seyss spoke, for everybody was waiting for the announcement of the new government. It was 8:45 o'clock, that is when Globus called from the office in the Seizergasse. We simply cannot go on.

Klausner, Jury and I and Kaesemeier came to the Bundes-Chancellery. It was locked. We knocked, a policeman opened. Who is there? By order of Seyss we wanted to enter. Question passed back—then one came, led us through somewhere in the rear and there everybody was armed to the teeth. In the court were machine-guns. They wanted to prevent a new surprise attack like the one on 25 July. We were taken upstairs, up there the situation was the same as before. Seyss shrugged his shoulders. There is nothing can be done. I told about it: In the meantime we had started the strategic concentration of 6,000 SA men, etc. Seyss went out to the Bundes-President and reported this to him. In the meantime the reports arrived of the seizure of power. But in the meanwhile all telephone conversations had been directed via Globus.

The Nazis in the Bundes-Chancellery were already organized, the man of the house was Globus, the house was occupied by policemen, around the house SA and SS, in the house were we, who acted and the Austrian government, who did not act. Act we did. Until 1 o'clock in the night Ludwig and his companion sent calls for help by wireless to Paris. We then put an end to this by placing two strapping SS-men in his room.

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The negotiations continued tenaciously. I was aware that if Mr. Miklas finds out that the Reich does not march, the situation may become critical. As long as he does not know this he will be under the impression: The German avalanche rolls across the border. When this moment arrives we must be able to proclaim a National Socialist government.

I had a typewriter brought, I myself wrote again. I asked whether there was anybody who understands something about forming a government. Riemer came forward. He had worked illegally with us for a long time. I sat down on a couch and the table was so high that I recall it with horror. Seyss sat on one side and on the other side was Keppler, then Klausner and Globus, and the government of Seyss-Inquart was formed. Next to us was a telephone on which Jury was and he had a connection with the Ravag we had occupied, with the instruction to broadcast the news about the provisional change of Government. That had to be done to have a legal government right away. In any case, it would have been proclaimed legal by the Office of the Bundes Chancery.

But we had to wait some time yet. We had established this Government which was the same that was confirmed by Miklas three hours later. In the meantime, I telephoned in the Seizergasse and said a torch-light procession must be organized. This began to march. I ordered: The future members of the Government must come! They came.

Then a policeman arrived and said: somebody is downstairs with a swastika armband, he had orders to occupy the Bundes Chancery. It was Riemer with 50 SS men. He was the first Nazi, in that night, whom I saw in the Bundes Chancery with the swastika armband. Seyss gave the permission that these men had to be admitted into the Bundes Chancery. That was enough; Globus brought them upstairs. In the meantime reports came from the provinces. Partly inquiries. Wintersteiger in Salzburg had gone to Mr. Rehrl and demanded assumption of power. Rehrl said that he had to inquire. He asked in the Bundes Chancery: "There is an individual with the name of Wintersteiger and, with reference to an order of the Bundes Chancellor Seyss-Inquart demanded the handing over of the Government authority." Globus was on the other end of the line. He said: "Clear out as fast as possible." Rehrl followed suit, and Wintersteiger took over. It happened the same way in all principal cities. In the meantime, the taking over of power had also been accomplished in Vienna. In the Bundes Chancery we played the National Marches.

In the meantime I drafted together with Klausner the proclamation which was to be published after the announcement of the government, and the further negotiations which were conducted by Seyss. Once the door opened and a strapping guardist arrived with beer and seltzer bottles and ham sandwiches for us. That was the first sign that we had assumed power.

But we were not yet through. At last, it was already around 12 o'clock. Miklas, under the pressure of the already accomplished seizure of power by the NSDAP in the whole of Austria, acknowledged the resignation of Schuschnigg, but did not yet appoint Seyss as Bundes-Chancellor, but has asked him to continue with the business of the Bundes Government. Seyss informed us of this. It was possible according to article 84, etc., of the Constitution. We read what this meant. This was a Government which required for each of its acts the counter-signature of the Bundes-President. Nothing could be done with such a Government. We had, however, to be satisfied. Therefore we have formed a second Government in accordance with article 84 of the Bundes-Constitution. Legal difficulties arose. Seyss therefore had to negotiate further. In the meantime, Himmler had phoned from Munich: whether we were not finished soon; he wanted to fly over already. We said he would have to wait yet. Klausner made a speech to the torchlight procession that was standing in front of the Bundes Chancellory. The members of the Government, Klausner, and Seyss stepped out on the balcony. I was in the midst of conferences and of issuing instructions. Globus arrived: "Friedel, you also must step onto the balcony!" I had to go. I said I had no time, and went back.

We continued working, and then—it was already after midnight—came Seyss and said: "I was appointed Bundes Chancellor. I must submit a list of the members of the Government." We wrote, therefore, the third list of the Seyss-Inquart Government. Miklas did not appoint Klausner and Kaltenbrunner and refused to take them into the Government. We telephoned to Himmler that he could start. I said it does not make any difference what Miklas did, we need the signature. Thus the signature was obtained. Globus said: "We must go to the airport, Himmler is coming." Seyss was tired, he drove home. Klausner was the leader of the party, and we drove to the airport. Hereby the following incident occurred. When we entered the car in the courtyard of the Bundes Chancellor, Skubl, who had to report to Himmler, was still in it. Outside the whole street was crowded with National Socialists. They noticed the departure of cars. First there was the car with Klausner, one with Kaltenbrunner, then a car with us. Suddenly I became very frightened. Skubl was sitting in here, nobody knows me and Globus, but everybody knows Skubl. When they see Skubl, anything can happen, we might even be killed by our own people. Skubl, however, crouched low in the car. In that way we arrived at the airport, and there we sat around. Excitement which nobody ever forgets who has experienced it. The SA from Aspern had already taken up position in civilian attire; they looked terrible. Skubl was so fatigued that he lay down in an office. We sat in the restaurant. Kaesemeier brought a ring of Cervelade-sausage. That was the first food I had, as I had not eaten the ham sandwiches in the Bundes-Chancellery because I had no time. Then it was said: "He comes, Himmler." Skubl was awakened in the last moment. SA men stood in the lobby of the airport, and the men of the Leader and of the Reichsfuehrer assembled outside. Then SS leaders stepped down from the airplane at whom we stared; men with machine-pistols formed a circle around the airplane, ready to fire.

They had no idea how it was. But Himmler saw immediately what was going on. We made a report, then we went into the airport. Klausner drove to town with Himmler to the Hotel Astoria where the quarters were. Globus said to me: there are a few more SS men who can ride with you. Then we ourselves had no car left. Globus and I were all alone. How could we get to town? There was no streetcar anymore. Globus began to telephone, at six o'clock he luckily caught a taxi. We got into it and drove to our quarters, slept an hour, and in the morning we both drove to our office. Hereby I saw: in the streets people with the swastika armbands, happy, the broken standards of the Vaterlaendischen Front. Newspapers were sold. I bought a paper where I read the results from the Bundes Capitals. I then realized what had happened there. The entire previous day we had been so engrossed in our fight and kept a clear head. We had to wait and operate coldly.

I therefore could only occupy myself with this task. I could not comprehend the greatness of the time. All that for which we fought for years, that we accomplished all this, that the fight was over, that was so incomprehensible. I had literally read the result the next day in the papers, and I had to take pins, to grit my teeth to control my emotion. Thus also ended the struggle of the Party.

The Fuehrer arrived on the same day. Klausner was ordered to report to the Fuehrer in Linz. We received from Klausner the order to follow him in an airplane. We flew to Linz with an air-force squadron and could report to the Fuehrer, receive his handshake, returned then to Vienna and were present when the Fuehrer on the second day, coming from St. Poelten, arrived in Vienna and made the most important announcement in German history.

Thus ended the struggle of the party for the power in Austria.

PARTIAL TRANSLATION OF DOCUMENT 4006–PS

Page 1, Heading

Bulletin of the Reich Minister for Armament and Munition

Page 2, column 1, lines 33–40

General Plenipotentiary for Labor commitment.

By request of the Reich Minister for Armament and Munition the Reichs Statthalter and Gauleiter Fritz SAUCKEL was appointed "General Plenipotentiary for Labor Commitment" within the compass of the Four Year Plan.

[Pages 169, 170, 171]

Confidential

Berlin, 1 December 1942
Enclosure 1
relative to Communication No. 16,1942
of the Reich Minister for
Armaments and Munitions

The Reich Minister for Armaments and Munitions
The Commissioner for Armaments within the framework of the Four-Year Plan
G. Z.: 9077–168/I
The Plenipotentiary general for Labor Commitment
G. Z.: 5550/850

To the Heads of
Armament Commissions, Armament Inspectors, and Armament Commanders
To the Presidents of Regional Labor Offices
and Heads of Labor Offices.

Subject: Cooperation in the commitment of labor for armament purposes.

In order to meet completely and within the time set the demands made in the field of armaments it is an indispensable prerequisite that all offices involved cooperate as closely and as considerately as possible.

Inasmuch as the formation of armaments commissions out of government authorities and offices in the Greater German Reich which are concerned with the tasks to be accomplished in the armaments economy has already dealt with this need, from the organizational point of view, by virtue of the decree of the Reich Marshal of Greater Germany, dated 17 September 1942, the following is set forth in regard to cooperation by offices of the Reich Minister for Armaments and Munitions with the offices of the Plenipotentiary General for Labor Commitment:

I. CENTRAL TASKS

For this cooperation the following presuppositions are to be the point of departure:

1. In keeping with his total responsibility for the issue of the armaments program, the Reich Minister for Armaments and Munitions alone will decide on all questions of priority for all armament assignments and the urgency in providing the labor needs involved in the armament programs.

2. To the extent that an outline of quotas for assignment of labor for the individual armament programs has not already been established in the "Central Planning Board"—in cooperation with the Plenipotentiary General for Labor Commitment—he (the Reich Minister for Armaments and Munitions) will ascertain them and bring them to the attention of the Plenipotentiary General for Labor Commitment, submitting to him at the same time lists of the factories involved in the program. In special cases centrally ascertained assignment figures for individual plants will also be submitted (red slip procedure.)

3. In addition to the leading program directed by the Reich Minister for Armaments and Munitions, the tasks of the offices of the Reich Minister for Armaments and Munitions will also extend to the following groups of industries:

> Factories under the supervision of the Wehrmacht, machine tool, tool, and apprenticeship industry, industry building locomotives and coaches for the Reich railway, including repair shops, motor vehicle industry, merchant marine ship yards, petroleum industry, producers of fuel, gunpowder and explosives, chemical production plants, contractors and subcontractors of the above-mentioned groups of industry.

To the extent that the above-mentioned establishments are not under the supervision of the Wehrmacht, the respective supervising agencies are to be included.

4. Making available and directing laborers according to requirements of armament economy laid down by the Reich Minister for Armaments and Munitions, will be handled through the Plenipotentiary General for Labor Commitment within the framework of his jurisdiction over labor commitment as a whole.

5. To carry through labor mobilization, the Plenipotentiary General for Labor Commitment will give the necessary directives to the offices under his jurisdiction, for the execution of labor commitment distributes the available labor taking into consideration the varying degree of burden resting upon individual establishments who have armaments tasks, and other tasks of importance to the war.

II. Regional Tasks

1. In all questions pertaining to priority within the armament field as they arise regionally, decisions will be up to the chairmen of the armaments commissions.

2. Having made contact with the presidents of the regional labor offices, they decide on the practicability and necessity for transferring labor from one plant to another within the same kind of production for the Wehrmacht in compliance with requests made by Wehrmacht units. In general, such transfers are to be approved only if they do not involve change of domicile for the respective worker. This restriction will not apply to key workers and who, upon the request of a committee, or a group, or of the supervising authority can temporarily be assigned to work in plants of similar production located elsewhere. Such applications in case of transfer within the area of an armaments commission will be acted on by the chairman, in case of transfers between plants, by the Armaments Office.

Transfers are to be made according to applications submitted to the respective authorities.

3. Armaments offices will participate decisively when, through

measures taken by the labor commitment offices, the course of armament production of the plant will be essentially affected and to the extent that through their inclusion a rational commitment of labor within armament industry will be encouraged. (par. III, 2).

4. The district labor offices take care of fulfilling demands for armament according to directives of the Plenipotentiary General for Labor Commitment.

They check up on the normal need to be reported to them by armament plants, compare it with statistics on needs possibly given them from central offices, and they work out a plan of coverage taking into consideration all labor reserves to be recruited locally.

They inform central offices where needs backed by lists are found to be inaccurate as regards kind and amount involved, or where it appears that plants do not obey instructions to give up employees.

On the employment of labor resulting from the man power gained by a decrease in central needs, for the benefit of other armament plants with jobs of high priority, the chairman of the Armaments Commission will decide.

Labor commitment offices will at once commit locally available labor and such labor reserves as are made available through the Plenipotentiary General for Labor Commitment.

5. Wherever the prerequisites are met, numerically limited intra-plant measures of equalization as well as transfers involving more than one establishment in order to cover specially urgent needs—will be carried out directly, in which case care must be taken that the withdrawal of labor in the first case will not endanger completion within set time of assignments as per stages Ii, II and III of priority order (r Labor assignment, 14 August 1942; in the second case also including stage IV) be not jeopardized.

III. COOPERATION IN JOINT INVESTIGATION COMMITTEES.

1. As regards execution of individual assignments which are of particular importance for the course of the armaments program, the chairman of the armaments commission will appoint investigation committees. They will be directed by members of the Commitment Administration which will be appointed in consultation with the president of the regional labor offices.

2. Following a suggestion of Labor Commitment offices and

supervisory offices, such investigation committees will be operative

a. in examining supplementary supply requests of appreciable volume, and especially whenever doubts arise in regard to demands given centrally.

b. in examining principles underlying plant-equalization measures, in order to meet a greater demand,

c. in connection with screening measures called for by fluctuations in the urgency in programs; changes in the employment situation especially through withdrawal of orders; scarcity of raw materials; scarcity of power and seasonal fluctuations.

d. in the case of equalization measures involving more than one establishment to assure a wholesome structure conducive to attainment of the highest possible labor yield in all armaments establishments (inclusion of skilled labor, foreign labor, female labor, in proportionate measure).

3. In each instance the investigation committee must include one representative of the armaments inspection and of the labor commitment administration. Depending upon the type of work involved, there should also be included an additional representative of the military area, the armaments foreman and, in special cases, additional experts.

4. The committee may transfer the task of investigation to individual members.

5. Preparations for investigations can be assigned to local labor commitment offices.

6. Suggestions of the investigation committee for transfer of personnel must be carried out by the labor commitment offices unless, within ten days of announcement to the plants involved, protest is raised by the latter or by the supervising agency. Reduction of labor will be made according to limitation imposed by paragraph II, figure 5.

7. Protests raised against suggestions made by the investigation committee will be acted upon by the chairman of the armaments commission.

Doubtful cases which in their regional aspect cannot be finally clarified, must be referred to the central offices which will make a decision. It is expected that all parties involved will at all times remain aware of the magnitude and urgency of the present armament tasks and of the decisive importance that cooperation without friction will have, and at all times there will exist just one will everywhere, namely to master completely and in the spirit of closest comradeship what is left to be accomplished.

[signed] SAUCKEL

[signed] SPEER

[Page 323, column 1, line 1 to column 2, line 12]

Berlin, 16 September 1943

The Reich Minister for Armament and War Production General Plenipotentiary for Armament Tasks within the compass of the Four Year Plan.

Decree dated 16 September 1943 concerning the tasks of the Office for Planning issued by the General Plenipotentiary for Armament Tasks within the compass of the Four Year Plan and of the Reich Minister for Armament and War Production. By decree dated 4 September 1943 the Reich Marshal of the Greater German Reich has established a Planning-Office in my Ministry for the purpose of a coordinate treatment of all basic questions of war economic planning.

Hereto I decide:

I.

1. The Planning Office prepares the decisions of the Central Planning Board and supervises their execution.

2. For this purpose it has in particular to prepare the distribution of the raw materials (e.g. ore, metals, coal, mineral oil, nitrogen and other important raw materials) to the consumers.

3. The Planning Office must establish for the Central Planning Board—as its standard order of procedure—the production and distribution for the entire war economy the basis of which shall be the planning of the requirements for the entire German sphere of influence. Hereby import and export must be considered. The entire planning must be previously coordinated with the administrations and agencies concerned under consideration of the prerequisites of production. The Planning Office has to correlate and utilize currently the necessary statistic material.

4. The Planning Office must propose to the Central Planning Board for its decision the assignment of all workers in the Greater German sphere of influence to the individual main sectors (industrial war economy, transport, food, etc.) and draw up statistics for its execution.

[Page 357 Column 1, lines 1-6]

Berlin, 2 March 1944

The Reich Minister for Armament and War Production.

Combat against lack of discipline of the workers in the plants.

To all Works Managers!

[Page 357, column 2, line 17 to page 358, column 1, line 20]

Loafers and defaulting workers will be punished according to the extent of their offense. As established in the annexed decree, Trade-educational measures are first of all to be used, and the inclusion of the German Labor Party is most urgently recommended. Should these educational measures prove insufficient, notorious loafers i.e. malevolent elements and defaulting workers must be dealt with severely. The next step is to send them to a labor training camp for a period up to 56 days or in more severe cases to a concentration camp. The competent police-authorities decide whether a transfer to a labor training camp or to a concentration camp is to be effected and for how long. On their release from detention, workers must on principle be sent back to their former place of employment. Thus no plant will permanently lose its workers by their denunciation.

I must now state, that unexplicably some of the Works Managers do not use these measures and prefer to reckon constantly with a certain absenteeism caused by loafers.

For reasons of output one of the tasks of the Works Managers is to diminish it by all means at their disposal, and to take all possible care to assure a high number of workers assuming duty in any situation and season. I therefore demand of every single works manager to exhaust all given possibilities of overcoming any existing lack of discipline at work, and also to instruct his works assistants concerning these tasks.

[signed] SPEER.

[Page 411, column 2, from line 11]

Berlin, 22 June 1944

The Reich Minister for Armament and War Production Plenipotentiary General for the Labor Commitment

Mutual work of Plenipotentiary General for Labor Commitment and of the Reich Minister for Armament and War Production

The Reich Minister for Armament and War Production and the Plenipotentiary General for Labor Commitment have agreed to a still closer cooperation between their offices in order to meet the increased demands for armaments and war production in all fields.

The chairman of the Armament Commission together with other members of the Armament Commission has to see to it that all measures required for this should be taken and brought into harmony with other armament affairs. In the sphere of labor commitment in Armament and War Production guiding principles will currently be issued jointly by the Reich Minister for Armaments and War Production and the Plenipotentiary General for Labor Commitment.

The labor available to the entire Armament and War Production are to be committed according to the basic principles of the most rational commitment of labor on the basis of centrally issued instructions or on the basis of decisions of the President of the Armament Commission.

The President of the Gau Labor Office is obliged to *execute without delay* the decisions of the chairman of the Armament Commission in all cases of examination of requirements, acknowledgment of requirements and the transfer of labor. In cases where he thinks that the decision arrived at is not on account
[Page 412, column 1]
of consideration of principle suitable in regard to Labor Commitment, he is to inform the Plenipotentiary for Labor Commitment, which however does not have a delaying effect on the decision for the chairman of the Armament Commission.

The Plenipotentiary General for Labor Commitment will bring these cases to the notice of the Reich Minister of Armament and War Production and bring about a decision.

The Reich Minister for Armament and War Production
[signed] SPEER
The Plenipotentiary General for Labor Commitment
[signed] SAUCKEL

Berlin, 22 June 1944

The Reich Minister for Armament and War Production ZA/Org. 223/61

Decree with reference to Intermediary Authorities

As the distribution of tasks in War Industry as regulated by my decree of 29 October 1943 not printed in communications has proved to be correct, the New Order of the Intermediary Authorities as was held out in prospect in this decree, should now be tackled. The installation of Armament Commissions which has stood the test in every respect for 1½ years without doubt forms the best foundation for the New Order of Intermediary Authorities. The Chairmen of the Armament Commissions, who according to the above mentioned Decree, Paragraph IV 3a, were to direct uniformly all the offices engaged in questions of armament industry and had to give the necessary instructions to the members of the Armament Commissions should more than ever be made chiefly responsible for the course of Armament in their district. In order to supply the chairmen immediately for the time being with the necessary personal informations and instructions, I have already begun to call them together for official discussions at short regular intervals.

In order further to intensify the activity of the Chairmen of the Armament Commissions I moreover ordain as follows:
[Page 412 column 2]

1. The Offices of my Ministry in the future are to direct all decrees, circulars etc. which are basic in nature, intended for the Armament Commissions and their members, directly to the Chairmen of the Armament Commissions and if occasion arises to send copies at the same time directly to the immediately interested members of the Armament Commission.

2. The Chairman of the Armament Commission together with the members of the Armament Commission is to take care that all the requisite measures are taken and shall be brought into harmony with other interests of Armament, which are necessary in order to meet the increased demands of Armament and War Production in all districts. In the future there will currently be issued jointly guiding principles of the Reich Minister for Armament and War Production and the Plenipotentiary General for Labor Commitment in the field of Labor Commitment in Armament and War Production.

The Presidents of the Gau Labor Offices are obliged to execute without delay the decisions of the chairman of the Armament Commission in all cases of examination of requirements, acknowledgment of requirements and transfer of labor.

The other members of the Armament Commission and the offices engaged in questions of Armament are obliged to proceed in accordance with the instructions of the chairmen and also in cases where special tasks were assigned to them in the decree of 29 October 1943 Paragraph IV. If for instance the agricultural offices have to direct through their Power Consultant the power industry or to regulate the Armament Offices, amongst others the labor commitment within Armament and War Production and the transportation and traffic matters as well as order warehouses, the President of the Armament Commission can intervene authoritatively in the execution of these tasks, so far as there are no special central instructions in individual cases.
[Page 413 column 1 39 lines]

Only under these presuppositions can the Chairman of the Armament Commission be responsible for the highest output of Armament and War Production, within his district.

3. The delegates, plenipotentiaries, special plenipotentiaries and the like appointed by me, in so far as the continuance of their activity according to the examination now in progress still appears necessary, are to get into touch with the chairman at the beginning of their activity in the domain of an Armament Commission and to regulate with him the execution of their task in accordance with local exigencies and given conditions. This order will be made known also to the delegates for careful attention.

4. I lay particular emphasis on close agreement between the Chairmen of the Armament Commissions with the Gauleiters as Reich Defense Commissioners in all questions which concern the sphere of their tasks. The Gauleiters are to be currently informed through the Chairmen of Armament Commissions about the most important matters and in case of necessity to ask their support for their execution. At possible plant inspections it is self-evident they must be given corresponding information about manufacture etc. in these plants.

I expect all the offices and people active in Armament and War Production to take into account the above decree and to avoid, above all, any competitive quarrels for which I have no sympathy.

[Signed] SPEER

[Pages 456 and 457]

Executory Decree concerning the agreement of 22 June 1944 re collaboration of the Plenipotentiary-General for Labor Commitment and the Reich Minister for Armament and War Production of 21 August 1944.

To promote labor commitment in the professional war industry, especially in armaments in the best possible way by reason of the mutual agreement of June 22nd, 1944 the following executory instructions are given:

1. The Labor Commitment Offices are to take all steps to ensure themselves regular supervision concerning the employment situation in the area under their jurisdiction and to watch all manufacturing branches and workshops to see if labor will be available for a short term or for a longer period. (Seasonal fluctuations in employment situation in the various manufacturing branches; completion of jobs tying up labor, especially emergency jobs in

the construction and communications industries; transfer of production jobs and the like.)

In regard to the factories in professional war industry the Labor Commitment Offices will inform the competent chairmen of the Armament Commissions or the competent Armament Offices by way of suggestion or proposal.

The Armament Commissions or the Armament Offices will immediately examine these proposals and suggestions as regards feasibility of execution and will effect the necessary measures which will be executed through the Labor Commitment Offices.

2. The Labor Commitment Offices are to see to it as far as armament factories are concerned, within the scope of the examination committees together with the Armament Offices, that industrial commitment will assume as rational a form as possible (Exchange of younger workers for older ones, of men for women, of skilled workers for unskilled, of foreigners, employed at easy tasks, for natives etc.).

Where they jointly determine that workers are allocated unnecessarily, impractically or technically misfit, the Armament-and-Labor Commitment Offices will initiate the necessary steps.

The commitment of these workers in favor of the armament industry is executed according to paragraph 7 of this decree.

As far as the Labor Commitment Offices establish adequate observations in factories of the other professional war industry the necessary proposals have to be submitted to the competent chairman of the Armament Commission immediately, if the offices in charge do not agree with the measures of the Labor Commitment Offices. After hearing from the offices in charge he decides according to a strict standard appropriate to the labor commitment situation, if the proposals of the Labor Commitment Administration can be met.

3. The Armament Offices for their part will also inform the Labor Commitment Offices about observations concerning shortages in the industrial labor commitment and the possibility of release of workers and jointly with them will effect relief of the shortages. As far as the shortages affect factories in professional war industry the Labor Commitment Offices are to relieve them in agreement with the chairman of the Armament Commission. The commitment of workers possibly to be released is to take place according to paragraph 7.

4. The Armament Offices will inform the Offices of the Labor Commitment Administration about fluctuations in urgency rendering feasible the postponement of jobs to be completed and the

release of workers. In appraising fluctuations in urgency for armament the Labor Commitment Offices are bound by the decisions of the chairman of the Armament Commission.

5. During occurrences, especially important for Labor Commitment (injury to industrial production from enemy air operations with temporary release of part of the staff, loss of workers, on the move due to destruction of their dwellings, transfer of factories etc.) both of the offices are to cooperate closely from the very first. They must jointly examine how a practical commitment of laborers, collectively rational, would be possible.

6. In fundamental questions of Labor Commitment of special importance for advancement of armament (Mobilization of labor from circles 7 persons and of the population, that have not worked previously, commitment of war-invalids, of students, racial Germans, commitment of families, prisoners, concentration camp inmates) both of the Offices are to examine jointly, how the directions issued centrally may best be brought into effect regionally. The Armament Offices are to do away with the difficulties by all means available, wherever there are obstructions in plants against commitment of certain groups of persons. They are to expedite in every way the creation of appropriate working conditions for the commitment of persons who are not at once fully productive.

7. To cover the demands both of the Offices are monthly on the occasion of the examination of the demands, utilizing all above sketched regional possibilities, to set up a joint plan for the guidance of the Labor Offices in their measures of allocation. By continual close connection the plan will be assured, of being continually adapted to the daily needs of armament, and that suddenly arising urgent demands in particular will if occasion arises be covered by supplementary measures with the necessary dispatch.

The commitment of labor available for professional war industry takes place according to the actual valid order of precedence for the distribution of labor or according to the special demands of the Reich Minister for Armament and War Production. The special demands and red slips must hereby take precedence in being covered.

Demands of the Chairman of the Armament Commission to give preference to coverage of a definite labor demand by reason of special emergencies, are to be met from the Gau labor Offices.

The commitment of labor still available after covering the special demands will be carried out by the Labor Commitment

Offices in close agreement with the Chairmen of the Armament Commissions.

8. Proposals for transfer made by Main Committees and Rings which exceed the competency of an Armament Commission are to be centrally examined as to necessity and practicability. However as the regional circumstances cannot always be completely supervised centrally for each single case, the Regional Offices concerned must also with all means strive to have all super-regional movements limited to a minimum, that is to say, for instance a demand for auxiliary workers must under all circumstances be covered by regional measures and not by transfer from far distant plants. The danger existing for the unity of Labor Commitment when a larger number of Committees and Rings initiate Labor Commitment measures that are partially contradictory, under some circumstances even for the individual plants, must be excluded by a strong regional control and a strong regional activity.

The super district transfers granted by the central offices (Reich Minister for Armament and War Production and Plenipotentiary General for Labor) are to be executed within the time set from the offices of the Labor Commitment Administration, if necessary by settling formalities subsequently.

As far as intra regional transfer measures are necessary after all possibilities of Labor Commitment have been exhausted and are ordered by the chairmen, they are to be executed by the Regional Labor Offices and the Labor Offices within the time set. The formalities delaying transfer are also to be taken care of subsequently.

9. For execution of the above mentioned measures both of the offices are to institute special examination of plants to the extent necessary. These are to be accomplished by the examination committees or by special deputies. Detailed directives will follow shortly.

Concerning Labor Commitment matters of armament both of the Offices in the future are to act unanimously towards factories and other offices. Such close cooperation will enable the regional reserves for the armament to be exhausted still more effectively than heretofore and will cause an over all intensification of the armament work which will ensure an increase in armament production.

Berlin, 21 August 1944
[signed] SAUCKEL

[signed] SPEER

TRANSLATION OF DOCUMENT 4009-PS

Munich Ainmillerstrasse 39, 21 April 1938

The Pressereferent of the Supremecommand of the SA and Main office of the Editor of the "Der SA Mann"
Office Rosenberg Entry No. 1169 Oy 23 April 1938 8a E

Reichleader [Reichsleiter]
Alfred Rosenberg
Berlin

Reichleader!

The periodical "Der SA Mann" looks back these days upon 10 years of its existence. This is for us the occasion to publish an enlarged edition dated May 15th. As you, dear Reichsleiter, on the occasion of the reception of the Culture circle [Kulturkreis] of the SA proposed a contribution to our combat paper, I take the liberty of begging you once more to put at our disposal for the Jubilee edition an article, e.g., on the subject "Ideology and Combat-paper" ["Weltanschatung und Kampfblatt"] or something similar to it.

I do hope that you will be agreeable to our wish and I am convinced that especially a contribution from your pen will be greeted with particular enthusiasm by our *750,000 subscribers*.

If we should receive your contribution before the *8th of May* we could see to an appropriate make up.

May I beg you, Reichsleiter, to give me a positive answer.

Heil Hitler!
[signed]: Koerbel
Obersturmbannfuehrer

TRANSLATION OF DOCUMENT 4010-PS

20-8-36

Mr. Koerbel,
Editor's office "Der SA Mann"
Munich, Schellingstr, 39.

Dear Mr. Koerbel,

Reichsleiter Rosenberg confirms, with his best thanks, receipt of your letter of August 13th a.c., and sends you enclosed the preface asked for.

Heil Hitler!
(Thilo v. Trotha)

Organ of Supreme Leadership SA of the N. S. D .A. P.
Der SA Mann, Editor's office

To the Leader of the Foreign Policy Office,
Reichsleiter Alfred Rosenberg,
Berlin W 35, Margarethenstr, 17.

Our ref. Koe/Vo.

Munich Schellingstr, 39, August 13th, 1936

Reichsleiter,

In a few weeks, "Der SA Mann", combat publication and official organ of Supreme SA Leadership, will look back upon an existence of respectively 8 and 5 years. Eight years ago "Der SA Mann" was first published as a supplement to the Voelkischer Beobachter; five years ago it could be presented to the public for the first time as an independent weekly paper.

We do not need, in these lines, to go into the tasks of this weekly, not only during the years of struggle, but especially today. A subscriber's list of half a million clearly shows the importance of the "SA Mann", whose educational influence has by far gone beyond the ranks of the SA.

The 5 years existence of the "SA Mann" will be commemorated by a special edition to be issued on August 28th.

We beg to inform you of this and would like to request you to give our combat paper your benevolent support also in the future.

Furthermore, we should be most grateful if you could let us have a short preface for above-mentioned special number.

We do not want to fail to assure you that we shall be always glad to place our paper at your disposal for your work.

Heil Hitler!
"Der SA Mann" Editor's office
Munich, Schellingstr. 39/I

[Signed] Koerbel

[stamp] Confidential

[in pencil]:

Munich, Barer Street 7–11, 23 June 1941
Telephone: 5 47 91

To be returned to Office ROSENBERG after acknowledgment
The Supreme Command of the SA.
[in pencil]: Dr. Meyer

Third report regarding the activity of the SA in war time

1. From the beginning of the war the entire work of the SA is only directed to the goal determined by the Fuehrer, namely to carry on the war to the final decision. The SA man at the front and in the hinterland, as well as the millions of volunteers in the SA military training detachments (SA-Kriegswehrmannschaften), know that the war will be won by Germany. The question of the duration of the war changes nothing in the firm will for victory. It is also general knowledge that the Fuehrer has military operations carried out only after the most intensive preparation and at a time when they will most likely result in a minimum of victims of German blood.

2. The morale of the SA men, the volunteers of the SA military training detachments and also of the women of the SA men in the field becomes apparent in uncounted letters interchanged between front and home and which come to the knowledge of the supreme SA leadership, by the Welfare Offices (Betreuungsdienststellen) of the SA.

[illegible initials]

These letters show how different is the bearing of the German people in this war compared to its bearing in the years of the World War. An unshakeable belief in the power of the German Communal destiny, in the statesmanship and in the generalship of the Fuehrer, in the leadership and bravery of our soldiers, and in the surpassing effect of their arms, show up in every one of these letters which are partly written in the most primitive way. They also demonstrate that the necessity for renunciation and restrictions, for sacrifices and the greatest efforts of all workers, as the fight for the existence of the German nation demands is thoroughly recognized.

[Page 2 of orig.]

3. The SA in the Wehrmacht. Almost all men of the SA who are capable of bearing arms, in so far as they need not remain in plants essential for the war effort, are in the Army, in the Air Force, or in the Navy, and most of them with fighting units; at

the present time they number 789,685, up to 65% in individual groups. Eighty percent of the SA Leader Corps (SA—Fuehrerkorps), among them 95% of all SA Colonels (Standartenfuehrer), * * * are in the Armed Forces and have participated in the fighting from the very beginning. The largest part of the "Standarte Feldherrnhalle" consists of parachutists: the "Standarte" took part in forming the cadre of this troop. Their performance and success in the fighting in the West, especially in Holland, and in Crete are established historically.

The remainder of the "Standarte Feldherrnhalle" is included in an infantry division as an infantry battalion; this battalion first fought successfully on the front near Saarlautern and later assisted in the breakthrough of the Maginotline, and it is now fighting in the East. The leader of this unit in peace time, SA-Colonel (SA-Standartenfuehrer) BRAUN (Major of the reserve) was killed in the fighting in Crete. The first war time commander of the battalion, SA Colonel (SA-Standartenfuehrer) RABEN (Major of the reserve) was killed storming the French line of pill boxes. His successor is Major BOEHME who comes from the ranks of the SA (possessor of the Knight's Cross of the Iron Cross).

The "Standarte" has done honor to its proud name. The proportion of the losses of the SA in the total losses, is higher than the proportion of SA-men with regular units on the total strength of the fighting units, and also higher than the percentage of losses of German soldiers altogether.

Up to 25 May 1941, in other words about one month before the beginning of the campaign in the East, 9,445 SA-men were reported as killed in action, amongst them 6 SA-Generals [Obergruppenfuehrer] or SA-Lieutenant Generals [Gruppenfuehrer], 5 SA-Major Generals [Brigadefuehrer], 7 SA-Brigadiers [Oberfuehrer] and 14 SA-Colonels [Standartenfuehrer].

The following decorations given to the SA can so far be confirmed: 21 Knight's Crosses of the Iron Cross, 31,125 Iron Crosses second and first class.

[Page 3 of orig.]

On war and/or auxiliary war ships approximately 40% of the crew was decorated with the Iron Cross; of the SA-men used on similar ships 72 and/or 75% received the Iron Cross.

Of the two first Infantry Combat Badges (Inf. Sturmabzeichen) which could be awarded, one was issued to an SA-man.

Because of good achievements in the armed services so far a total of 120,000 SA-men has been promoted to officers and/or non-commissioned officers so far during the war.

The letters of unit commanders who previously did not have any relations with the SA to the Chief of Staff (Stabschef) and the Supreme SA-leadership about the behavior of SA-men in combat units are numerous. These communications testify that the SA-men in unison with the leadership-corps of the active unit have formed the backbone of the units in combat.

Communications of this kind also give information about the SA-men in detail. One battalion commander without any connections with the SA (Captain K), for example, writes to the Supreme SA-leadership on 9 February 1941 amongst other things:

"In leaving my battalion my heart urges me to report quite privately to the Supreme SA-leadership of an exemplary SA-man. He is Standartenfuehrer Erich Schl.

"At the Fuehrer's call to arms on 25 August 1939 Standartenfuehrer Schl. reported voluntarily and entered my company as a rifleman. I did not know him and I did not know anything about him. Schl. was rifleman 1 of machine gun 1 as nobody like him, and already days later he was the spiritual leader of his group. The hearts of all men turned toward him, he was the model of a German soldier; above all he from the very first devoted himself in his spare time to spiritual care and the National-Socialist educational task within the company.

We stood on the west wall, we marched in Poland. I did not give anything to Schl. free. The greater his tasks, the more untirelessly he worked. The hearts of the whole company belonged to Schl.

[Page 4 of orig.]

"In the West Schl. commanded my 2nd platoon as Staff Sergeant (Feldwebel). Reconnaissance-troop leader, spearhead-leader, he was always the first in the company. In storming Fort Barchon, Schl. exemplarily proved his worth in spite of being wounded. I was pleased when the battalion commander presented him with the Iron Cross 2nd Class. Schl. became a lieutenant, and today he is my adjutant. For more than 17 months we have stood side by side in the fight for Fuehrer and nation. We became comrades. It may well be the duty of each and every SA-man to live and to fight in such as way as Schl.

"He, however, is an example in this." * *

Such estimations of the individual SA-man exist in large numbers with the Supreme SA-leadership. Only one of the first ones according to time was to be shown here. However, all of them show in the same manner the behavior of SA-men in combat units.

Just as in the year 1940 the Chief of Staff (Stabschef) repeatedly took occasion to visit SA-men with units of the army and the air forces, so in the spring of 1941 a journey took him to the SA-men who enlisted in the navy and who are serving in Holland, Belgium and France in the field of coast-security.

4. The SA in the Communications Zone. *a.* The SA-men who have remained in the communications zone primarily care for the maintenance of the SA-organization. All units, even the smallest ones are alive, and the men willingly sacrifice their spare time for *duty in the party.* This includes assistance to the political leaders in the educational and orientation tasks, propaganda and counter-propaganda, preparations for meetings, control of the population in frontier areas, and care of repatriated Germans from abroad, auxiliary work during enemy air attacks, extension of air raid precaution facilities, black-out control, harvest-assistance and harvest-protection, emergency service. During the flood-catastrophe on the Elbe in the spring of 1941, for example, there were SA-Engineer units who first arrived to effect assistance and who by means of their amphibious equipment saved humans and animals from drowning. For all tasks of this kind SA-units will be employed according to requirements.

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In a similar manner SA-men are constantly employed to assist the *National-Socialist Public Welfare (NSV),* for collections, for supplying the needy with coal, for the preparation of billets and in auxiliary service of all kinds.

Numerous SA-leaders and sub-leaders [Unterfuehrer] were furnished to the *German Labor Front* (DAF) for duty in the TODT organization.

b. The SA also fulfills extensive *authoritative requirements* and helps wherever the participation of the SA for the fulfillment of tasks in connection with the war is desired, for example in the Frontier Control Service, during investigations etc.

c. Those *duty achievements of the SA,* which *deal with direct support of the armed forces* and which benefit the *power of German arms,* have developed in all directions.

At the time this report is written and/or in the previous weeks the following were employed:

9 groups SA-units for dispatching horses and war equipment;
21 groups SA-men for guarding prisoners;
8 groups SA-men to watch and salvage enemy planes;
18 groups SA-men to guard vital communication points;
21 groups SA-men to assist in the transports of wounded.

19 SA-groups have formed blood-donor units for the Armed-Forces. In the group Berlin-Brandenburg, for example, 8615 SA-men reported voluntarily as the result of one single call for this

sacrifice. Of these 2855 are at the disposal of the Armed Forces as permanent blood donors (Group O). In the SA-Group Central (Mitte) a Medical Troop Leader has used 66,400 cubic meters in 166 cases, and a Medical Platoon leader [Rottenfuehrer] 30,200 cubic meters in 74 cases. Similar reports are on hand from many other groups.

[Page 6 of orig.]

The *preliminary military training* practiced by the SA since the outbreak of war on a voluntary basis in the *SA-war defense groups* [Kriegswehrmannschaften] has been already explained in detail in reports 1 and 2 regarding the activity of the SA in the war.

This educational work is primarily to assist the fighting spirit, to retain and fortify the willingness to fight, and to harden the National-Socialist communal idea in German men to become an uncompromising testimonial to the comradeship in arms.

The practical training, that is the means of education, includes physical exercises on the basis of achievement regulations for the SA-military badge [SA-Wehrabzeichen], for the SA-Engineer, SA-Signals, SA-Medical, and SA-Riding certificate.

Planned target practice, instruction and practice in handling and cleaning rifles, as well as shooting on the range and in the field, and furthermore the throwing of hand-grenades under assumed combat conditions are included in the *markmanship service* [*Schiessdienst*].

In *terrain duty*, the knowledge of maps, spotting of terrain, description of terrain, utilisation of terrain, transmission of reports, sketches, orientation in the terrain with map and compass, target approach and calibration are being primarily practiced. Camouflaging with the utmost variety of ground-coverings and marching in daytime and in the dark with and without gas-mask are also required.

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Additional signal training is provided for such as feel especially attracted to the Signal Corps and is subject to the efficiency regulations laid down in the Signals certificate established by the German High Command.

Since the outbreak of war preparatory training for radio operators is carried on in single SA groups and special importance is attached to it. Within the sphere of the SA groups Donau (Danube) alone 4196 men were trained for the Air Signals Corps. The success achieved led to the pre-military training of radar-operators for the Air Force being agreed upon in March

1941 and accepted by all SA groups on request of the Reich Air Ministry.

The Reich Postmaster General has put suitable elements of the Reich postal service at the disposal of the SA as instructors. Already in the first training course 4200 volunteers were given preliminary training as wireless operators.

The training for sapper and medical services, riding and driving is additional also, i.e. the volunteers in question are classified like any others for the basic training in shooting and ground duties and in addition undergo the so-called special training.

In the Marine SA and Army Training Detachments affiliated to these units, the practical training is carried on according to the requirements of the Naval High Command (O.K.M.).

The pre-military army training by the SA includes all men over 18 years of age, who have not yet done their service, are worthy having not to bear arms and are subject to the draft, in so far as they volunteer. Since the drawing of the report 2 of 21-6-1940 on the wartime activities of the SA, they were being trained in SA Military Training Detachments.

[Page 8 of orig.]

In June 1940 out of	1,262,388 listed volunteers	655,688
July	1,191,460	605,228
August	1,191,737	565,044
September	1,162,057	534,921
October	1,117,888	484,125
November	1,093,780	459,551
December	864,405	385,476
January	867,120	358,261
February	848,388	322,148
March	817,295	302,954
April	801,599	290,616
May	779,821	276,915

As only a limited number of instructors are available, only one-third of the volunteers can take part in the training at a time. In report 2 of 21-6-1940, these educational and training duties of the SA are given the appreciation and acknowledgment of the Supreme Commanders of the 5 branches of the Armed Forces as well as of the Chief of the Army High Command.

Meanwhile the acting Generals in Command and numerous troop commanders, having been present during the service of the SA Military Training Detachments (SA Kriegswehrmannschaften) have expressed themselves in the same sense. Some of these opinions are quoted:

Acting Army Corps Headquarters I.A.K.:

"Those having enjoyed pre-military army training delight especially in their military service; they distinguish themselves from the masses by their *firm carriage, discipline and sense of order.* With lengthened pre-military training the acquirements in ground duties, map-reading and shooting-instruction are noticeable. A quicker understanding of these branches of the service facilitates training. More efficient shooting has been confirmed everywhere."

[Page 9 of orig.]

Acting Corps Headquarter IInd AK (Army Corps):

"The opinions about the value of the preliminary military training are somewhat divergent; however on the whole there is emphasis on a favorable training of replacements as to conduct character, enthusiasm for the job and readiness for action basic knowledge of field duties and in shooting."

Acting Corps Headquarters IIIrd AK (Army Corps)

"The better military character, the better conduct and behavior, a quicker and better understanding for the official duties, are acknowledged."

Acting Corps Headquarter IVth AK (Army Corps)

"The preliminary military training is favorably noticeable in the newly enlisted recruits.

It is stressed, that the basic training is essentially facilitated and advanced by the preliminary military training. The military bearing and the personal attitude are unmistakable; the men are more interested and as far as ability to perform is concerned are above average especially at the beginning of the basic training. Training in shooting is very successful, in exercising and in field duties they also excel advantageously. The army recognizes the preliminary military training in the SA military staffs and characterized it as beneficial for the basic training."

Service Command Headquarters IV

"It may be stated in recapitulation that the Army almost without exception recognizes the value of the preliminary military training through the SA and characterized it an advantage for the training of recruits."

Acting Corps Headquarter Vth AK (Army Corps)

"On the occasion of my presence at the training of the SA army staff on 2 June 1940. I established that the preliminary military physical training of the SA staff, especially under the difficult conditions brought about by the present times, is being practiced by all those concerned with great zeal, and has partially produced rather good results."

Acting Corps Headquarters VIIth AK (Army Corps)

"The recruits with preliminary military training generally show already after a short training-time and advantage over the
[Page 10 of orig.]
other recruits more or less important according to the quality of the training received. Especially concerning the willingness to act, preparedness, character, subordination, perceptive faculty as well as in shooting-and field duties. Therefore the preliminary military training is certainly suitable, to facilitate considerably the training of recruits in the Replacement Army * * *."

Acting Corps Headquarters VIIIth AK (Army Corps):

"Most of those men contrast favorably with the other recruits as regards soldierly bearing, physical and mental agility and enthusiasm for the job. Through their elementary knowledge of field service and shooting and training in marching their training advances rapidly. The Acting Corps Headquarters wish that as many recruits as possible may participate in this preliminary military training."

Acting Corps Headquarters IXth AK (Army Corps):

"The Acting Corps Headquarters asked for a report from the subordinate units some time ago about the effectiveness in the Army of the preliminary military army-training of the SA. Nearly all offices are emphasizing that the recruits having gone through the school of preliminary military training of the SA, excel the others in assurance of behavior and in prompt adaptability to military life. They showed throughout a good comprehension of duties and a definite understanding for military tasks. The value of the preliminary military training was confirmed especially for shooting and field training. The Signal Corps Units have especially stressed the good technical training of those who have preliminary military training. A few offices have remarked that it is desirable, for the SA army personnel who have a certificate confirming successful participation in the preliminary military training, should, when issued this certificate be informed by the SA, that they should, when reporting for military service instantly announce the possession of such a certificate, so that the military unit might be informed beforehand in regard to this fact."

Acting Corps Headquarters X AK (Army Corps.):

"The basic principle of the preliminary military instruction in the SA militia has to be answered entirely in the affirmative and its development on a still larger basis is to be aimed at, especially as the presently valid principle of reporting voluntarily generally comprises only those circles interested to a higher degree in military service."

[Page 11 of orig.]

Acting General Command XIII army corps:

"For short term training, membership in the SA-armed forces will be a very good military preparatory school. Belonging to these armed forces must be *compulsory,* so that *all* recruits entering the army may have more or less the same preparatory military training.

Those trained in specialized SA formations (intelligence, engineers, health) have more or less knowledge on which to build the military training. This has particularly been the case for men trained in the intelligence service."

Acting General Command XVII army corps.:

"Those with preliminary military training display a better bearing, greater interest in military things, good will, eagerness and valuable skill in the use of weapons The degree of training acquired by preliminary training in cities is better than the training acquired in the country. For some reserve formations the training of the SA men was so good, that after only 6-8 weeks of training they could be used as assistant instructors.

The preliminary military training has in our experience so far proved to be very valuable, the existing installations should be extended."

Acting General command XVIII army corps:

"Good and partly *very good* results were observed among those who had received preliminary military training in SA formations. The men with preliminary training show a good mental attitude, philosophical broad mindedness and willingness to serve. From the beginning they displayed a smart military bearing and discipline, a superiority in the knowledge of basic military conceptions, and in fundamental training in drill. The basic military training was greatly speeded up by the acquired knowledge and their special training could be begun after a short time. In many reserve formations it was possible after a few weeks to employ them as assistant instructors, and in certain cases some could even be employed as independent instructors after 8 weeks of service."

[Page 12 of orig.]

Acting General command XX army corps:

"It must be admitted that the preliminary military training in the SA has produced good results."

Acting General command XXI army corps:

"The army has always obtained good results with recruits who had gone through preliminary military training in SA troops. The preliminary military training has proved to facilitate greatly the short term training of recruits. The advantages appear specially in field training and in technical knowledge of weapons. These men are physically better trained and show more resistance and endurance under prolonged strain (marches). Their zeal and efficiency in military matters, their better comprehension and their good comradeship may be stressed."

Chief of signals and communications of the Luftwaffe:

"The chief of S and C (NVW) has received information from the Higher Signal "Fuehrer" of air command No. 4 that 4 men are being trained as Radar operators by the signal units of the SA groups in area No. 4 of the air fleet. The chief of Signals and Communications approves this measure and proposes to extend it to the entire Reich territory."

Gau Air Force command XVII:

"For the pre-trained SA Radio operators the training with the unit which generally takes several months in the army, could be reduced to 4 or 6 weeks because of the pre-training in the SA. Some men could even be incorporated after 2 weeks. Gau air force command XVII will in the future attach special importance to the fact that SA radio operators be given preliminary training in as great a number as possible and be reserved to the LN Flugm. Res. Kamp. (Airforce signal Obscuration Reserve Company)."

The summarizing reports of the acting general commands are supplemented by numerous individual reports and expressions of praise from unit commanders; some of these statements are reproduced here:

[Page 13 of orig.]

The Officer commanding a Replacement Division writes:

"Having, in my position, ample opportunity to observe the development of the replacement recruits, I think I may venture to give an opinion as to what the work that is done in the SA means for the Armed Forces at the present time.

When I look at the recruits shortly after their arrival and conclude my observations by calling forward those who have already been trained in Party organizations, I have usually been able to establish that the recruits who stand out from the mass by their good bearing and confident appearance were SA leaders or SA men. And after some time, I again find these same personalities in the special training groups where the best recruits for subsequent utilization as "Unterfuehrer" are trained. This is proof that the training in the SA is particularly apt to develop character and prepare for army training. These remarks are particularly true as regards the special arms. The signal units gratefully welcome the SA men and leaders trained in the signal sections of the SA, as they provide them with a steady in-flow of human material which they can, after a comparatively short time, employ as "Truppfuehrer" for independent tasks.

Members of the Engineer Storm Troops are likewise welcome by the Engineer batallions as good, all-round replacements. The SA man, too, who possesses no special qualities, of command will very soon have secured for himself with his superiors and fellow-recruits, a place as a practical soldier who does not shrink from any task and, above all, as a model comrade."

The General in Command of a front line A. K.:

"To what extent the SA by their fighting spirit and training have contributed to the Army's reactions for action, I have already and repeatedly had occasion to remark. As divisional commander, I have experienced personally how true it is that your SA men have been the best soldiers and the kernel of the fine spirit of the troops."

The Commander of a Division:

"The pre-military army training takes a number of minor tasks off the hands of the Armed Forces, thanks to which the Armed Forces gain time for exclusive military training and, moreover, preparations of the men for military service in the direction of their attitude and principles is of particular importance."

[Page 14 of orig.]

The Head of the Naval Medical Service:

"I should like to take this opportunity of thanking you again for the transfer of your brave SA men."

Equally informative are letters from men who have gone into the Army but took part in pre-military training in the SA.

Report by a Political Leader:

"I feel I must tell you that I am already reaping the first benefits of the military sports in which I had decided to take part—though as a Political Leader I was not forced to do so. At the inspection by Lt. Col. L., I was specially congratulated, in particular for the demonstration of the 98K rifle loading and placing at safe as well as unloading and uncocking. I owe this ability exclusively to the basic training of the SA. I particularly wish to ask you to express my most sincere thanks to Sturmfuehrer Party member K. of Sturm 34/76. Acting as he has done so far, he will not only educate military men but also good SA men and National Socialists."

Similar opinions regarding individual SA men are reported in great numbers to the SA High Command. This is reproduction of one of the latest.

The comrade-like relations between the SA formations and the SA men incorporated in the army is constantly looked after by the welfare office of the SA. In return SA men at the front always endeavor to give to their foremen SA Units proof of their community of ideas. We also quote an example.

Captain Franz v. WERRA, captured by the British and transferred to Canada, (then was decorated with the knight's Cross of the Iron Cross) and who recovered his freedom wrote on his return to the Reich to his SA group on 24.4.1941 among other things, as follows.

[Page 15 of orig.]

"It goes without saying that, being back from captivity as a war prisoner it is now a special joy to me to report back to my old SA group, and it grieves me deeply that I can make this report in writing only, for the moment * * * it is impossible to arrange for a personal report to my old SA comrades. Should * * * permit, I should very much like * * * to tell something about my experiences during the war whilst vigorously shaking the hands of old SA comrades."

5. Work done by SA in regained territories.

The two SA groups "Vistule", with headquarters at Danzig, and "Warthe" with headquarters at Posen were formed in the East. The territory of Upper-Silesia was assigned to unit Silesia, the territory of Memel and Suwalki to the Baltic Provinces (Ostland)unit. Very soon the SA units formed a network of solid strong-points for the National-Socialist movement.

The Vistula unit comprises 15 Standarten with 507 companies [Stuermen] the Warthe unit 28 [Standarten], counting 684 Companies [Stuermen]. In these regions also as in combat, the SA was the assault-unit for the Party. It assists in collecting German manpower, in strengthening it and bringing it into alignment according to National-Socialist principles. In that respect it was often necessary to start by teaching the German language and then explaining the basic ideas of National Socialism. Many young racial Germans were trained as SA assistant leaders in SA schools. In these regions also the SA service, practically speaking, is directed towards strengthening the defensive forces. It was therefore necessary to overcome the inferiority complexes of the racial Germans, the result of Polish suppression, and to bring their external appearance and bearing into keeping with SA standards. Then only was it possible to begin the real military training. The work of the SA in the West is also similar to that in the East. There it was possible in a short time to bring into the SA an important part of the male population through the recruiting of former German soldiers of the World War.

[Page 16 of orig.]

The leaders of the "Standarten" are predominantly Reich German SA-leaders. The "Sturmbanne" and "Stuerme" are practically without exception led by Alsatians who have received special training in a special SA school in the Reich. Reich German SA leaders and men stand at their side to advise and help.

The Chief of Staff visited these territories in the East and West, besides numerous inspections in other parts of the Reich, just at the period of this report, and gained a clear insight into the service, not only in the main cities, but particularly in the small and smallest garrisons of the SA. He thus formed an opinion as to the attitude and spirit of the Companies [Stuerme] Troops and Groups [Scharen] of the SA and the SA War Defense troops. The result was practically everywhere entirely satisfactory.

The Chief of the High Command of the Main Office

[signed] SUETTNER
Obergruppenfuehrer

TRANSLATION OF DOCUMENT 4013–PS

Local Editor's office

Berlin, 3 Feb 1934

To Munich Editor's Office.

The Munich Editor's Office shall forward immediately in a well closed envelope the following communication to the Chief of Staff.

The authorities here learned that Austrians in Berlin have informed Vienna that the SA plans to have the Austrian formations in Bavaria march into Austria around the 8th or 9th February. Then a military dictatorship would be proclaimed.

This morning I had an inquiry from very important English quarters whether it could be possible that, behind the back of Hitler and Habicht, the Austrians in Germany could invade Austria. My informant added that so far the Austrian charges had been laid aside, but this information had come from such a reliable source that they simply had to contact us. I am afraid of a possible provocation by hired elements which, if announced to the world just at that time, could produce conflicts.

I explained that the Fuehrer does not follow a peace policy with Poland and at the same time start any military conflicts with Austria. I report this matter that if occasion requires, the supreme SA Command takes the necessary steps.

[signed] Rosenberg.

11.27 o'clock
please acknowledge
received

TRANSLATION OF DOCUMENT 4015–PS

"Wiener Zeitung" of 11 March 1938

The Federal President has addressed the following letter to the Federal Chancellor Kurt v. Schuschnigg:

In accordance with Article 86 of the Constitution of 1934, I herewith relieve you at your request of your office as Federal Chancellor as well as of the charge of the Federal Ministry of Defense.

I further relieve—in accordance with article 86 of the Constitution of 1934—all other members of the Federal Government as well as all Secretaries of State of their respective offices.

Vienna, 11 March 1938.

Miklas
Schuschnigg.

[Seal of Landesgericht Vienna for Criminal Matters]
[Stamp]: Compared and identical with the original Landesgericht for Criminal Matters VIII. Vienna, Landesgerichtstrasse II. Section 4. 7 June 1946.

[Signature illegible.]

TOP SECRET

The Higher SS and Police Chief in the Operational Zone of the Adriatic Coast

Trieste, 5 January 1943.

Gl./Go.—Diery No. 1/44 Top Secret PK.
To the Reichsfuehrer SS and Reich Minister of the Interior
Heinrich Himmler
Berlin

Reichsfuehrer,

I am taking the liberty of submitting to you in the enclosed a report on the economic development of the Action Reinhardt, as you, Reichsfuehrer, ordered in your letter of 22.9.1943 that I should have this completed and submitted by 31.12.1943. However the recognition given me for the Action also impels me to give you, Reichsfuehrer, an account of the economic side, in order that you, Reichsfuehrer, may thereby see that in this respect also, the work was in order. Though SS Obergruppenfuehrer Pohl has not yet had time to take over, I nevertheless hope that these data will be of assistance.

A proper winding up and my relief is necessary because I carried out this activity within the framework of the SS and it must therefore be wound up in a proper manner with regard to the competent Reich authorities. The Action Reinhardt was also too dangerous.

In addition, however, a certain odium still rests upon me to the effect that in all economic matters I do not maintain the necessary order, and in this respect I must advance indisputable proof that this is not so.

The total accounting is composed of two parts:

1. The economic part of the Action Reinhardt with the subdivisions

   a. Accounting and delivery of the assets seized and

   b. Accounting of the assets attained by the work.

2. The Settlers' Economic Association, the conduct of whose economy also rested on my work, and which is now being transferred to civilian hands.

There is one additional factor to be added to the total accounting of "Reinhardt" which is that the vouchers dealing with it must be destroyed as soon as possible after the data have already been destroyed by all other works concerned in this matter. With regard to the SWG (Settlers' Economic Association), the question is not only the financial order, but also a transfer so that this institution may be maintained for the settlers.

Only after I have been relieved of both matters will my functions in both be terminated.

I request, Reichsfuehrer, that you lay down a deadline by which the final winding up has to be completed on the spot on the basis of my data.

I have taken the liberty of sending a copy to SS Obergruppenfuehrer Pohl.

Heil Hitler
Yours obediently
[signed] GLOBOCNIK

[Rubber Stamp:]
Personal Staff, Reichsfuehrer SS,
Rec'd: 10 Jan. 1944.
Diary No. 1851?44 Top Secret
To: RF

TOP SECRET

4 copies, first copy

Economic Aspect of the Action Reinhardt,

gathered together in the SS Economic and Administrative Head Office—Special Task "G", which I am in charge of and of which I have not been relieved:

The entire Action Reinhardt is divided into four spheres:

A. The expulsion itself.
B. The employment of labour.
C. The exploitation of property.
D. Seizure of hidden goods and landed property.

A. The Deportation

This is settled and completed. In this case the prerequisite was to get hold of the people with the small forces available and to cause as little economic damage as possible to war production by methodically appropriate measures. On the whole this was achieved. Considerable damage occurred only in Warsaw, where, owing to ignorance of the position, the methods applied in the final action were entirely wrong.

I was no longer able to carry out the action in Litzmannstadt (Lodz) myself because of my transfer.

The equipment which was provided for this action from seized goods, which however are to be considered as Reich property, have been removed completely. For reasons of surveillance in each camp a small farm was created which is occupied by an expert.

An income must regularly be paid to him so that he can maintain the small farm.

B. Employment of Man Power

The entire manpower was put into closed camps, to which essential war production was transferred.

For this purpose the following conditions had to be created:

1. Erection of all camps.

2. Erection of work shops with all the working equipment, such as the installation of machinery, power supply, etc.

3. The organization of provisions, by making use of the TWL's as well as by the creation of farms in the vicinity of the camps.

4. Equipment for the establishment of adequate sanitation and hygiene.

5. Security measures.

a. Achieved by adequate security precautions

b. By organizing a security organization within the camp

c. By adequate guarding

For this purpose the SS guards were developed, the overwhelming majority of whom carried out their duties satisfactorily led by Germans.

Their reliability was to be increased by mixing these guards with Reich German guards from the concentration camps.

d. The preconditions for a satisfactory security system were created by these camps being taken over by the concentration camp department of the SS Economy and Administrative Head Office.

6. The proper administration and methodical treatment were made possible thanks to extensive training of the German leading personnel. It became apparent that the working capacity of the Jews in the camps was constantly increasing.

7. By the creation of a works management and factory conditions the technical and commercial aspects were ensured. For this purpose the "Osti" was created and as second works management the German Equipment Works (Deutsche Ausruestungswerke). A total of 18 works was established; it was intended to add more. About 52,000 workers were available. These conditions of work made it possible to accept urgent orders both from the Armament Inspectorate and from Speer, the Reich Ministry, and thus to replace bombed out works.

The demand from these offices was considerable. "Osti" and the German Equipment Works were firms under my own supervision, whereas other concerns, such as the Heinkel aircraft works were only looked after by me.

Enclosure 1 contained factory reports and output figures. The number of orders was so large that the German Equipment Works (DAW) was fully occupied up to March and the other factories had enough work for 2-3 months.

C. Exploitation of Property.

The exploitation of property which was carried out by Reinhardt I has been completed as shown in Enclosure 2.

D. Seizure of Hidden Goods.

The seizure of hidden goods and exploitation of landed property is divided into:

1. Property such as machinery, raw material, etc., handed over by the "Osti" to Aryans. To date the result is 6.3 million Reichsmarks; a further 7-8 million Reichsmarks are yet to be brought in. This seizure had furthermore the advantage that all those were affected who had built up industries for themselves in this manner, with the help of Jews without cost to themselves and had become rich without effort.

2. Seizure of Jewish assets at home and abroad in that the camp inmates were ordered to cede these claims to the "Osti", which then carried out the recovery. The first attempt resulted in a cession of an amount of 11,000,000 Zloty, at least half of which appeared obtainable. However, since it was also possible to discover money that had been smuggled abroad, this action could have brought valuable foreign currency to the Reich.

3. Real estate was transferred to the Real Estate Administration of the Government General for exploitation. All the above mentioned arrangements were functioning satisfactorily at the time of my departure. As I received an indication from the Reichsfuehrer SS that a potential transfer might be possible some time during the year, I immediately go down to finally settling and consolidating the organization I had created, and for this purpose handed over the entire organization to the SS Economic and Administrative Head Office.

The measures taken were as follows:

(1) On the 13.8.1943 the SS Training Camp of Trawniki was handed over by SS Obergruppenfuehrer Pohl (see letter of 18.8. 1943—Chief A/Fr./S—Enclosure 3).

(2) On the 7.9.1943 in a conference with SS Obergruppenfuehrer Pohl the taking over of 10 SS Working Camps in the Lublin District as subsidiaries of Lublin Concentration Camp was decided on and in addition the further handing over of further

working camps in the Government General. The head of the Lublin Concentration Camp was provided with suitable contracts. This conference was brought about by SS Obergruppenfuehrer Krueger and SS Standartenfuehrer Schell (see file note of the Chief of the SS-WVHA (SS Economic and Administrative Head Office)) of 7.9.43—D II/L (Ref. No. 29 Ma./F.) (Enclosure 4).

(3) In pursuance thereof, a letter of the Commandant of the Lublin Concentration Camp, dated 14.9.43 to the SS Working Camps announced that they had become subdiaries of the Lublin Concentration Camp. The mixing of guards of foreign race with the German Concentration Camp guards from the Reich has also been initiated.

(4) On the 22.10.43 SS Obergruppenfuehrer Pohl announced that he had ordered taking over of the following Working Camps by Amtsgruppe D:

(1) Old Airport Lublin
(2) SS Working Camp Trawniki
(3) SS Working Camp Poniatowa
(4) Forced Labor Camp and SS Workshops in Radom
(5) Forced Labor Camp and SS Workshops in Budzyn
(6) Main Camp Cracow Placzow
(7) German Equipment Works, Lublin
(8) Armament stores in Lemberg.

(5) During the conference on 22.10.43, SS Obergruppenfuehrer Pohl stated that I would be replaced as first manager of the "Osti" by the second manager and a new second manager would be appointed. My relief was also approved. I also explained everything fully to my successor and called his attention to his supervisory duty. I thereby created all the conditions for the continuation. The principles of security existed and were guaranteed by the Leadership by the Concentration Camps. The relief has not yet been effected.

On 3.11.1943 the workers were withdrawn from the labor camps and the works shut down. The Camp leaders were not informed of this action although the responsibility rested with them. I was thus impeded in my supervisory duty. I have ordered the Camp Leaders to wind up and continue determining the contracts and/or transferring stocks.

On the day before the evacuation of the camps, General Schindler of the Armaments Inspectorate, Cracow, arranged with the Camp Leaders on the basis of a promise from SS Obergruppenfuehrer Krueger, that *a.* In the future only armament contracts were to be given to the labor camps.

b. He had received the assurance on 2.11 that a further 10,000 Jews were to be removed for armament work.

It was no longer possible to carry out with this arrangement.

[Sgd] Globocnik.
SS Gruppenfuehrer and Lt. General of Police.

These enclosures are the papers mentioned in SS Gruppenfuehrer Globocnik's letter of the 5.1.43. They have been taken out to facilitate depositing.

Top Secret

Report On the Administrative Development of the Action Reinhardt

I. All the assets acquired as a result of this Action were centrally mustered by an administration set up by me, duly classified and booked. The muster extends to the entire Government-General. The personnel came from the SS Economic and Administrative Head Office (WVHA).

The utilization and winding up of the assets was carried out on the basis of directives by the Reichsfuehrer SS. During the course of the Action this was summed up in a directive of 26.9.42 and 9.12.43, and the SS Economic and Administrative Head Office was given the task of winding up with regard to the Reich authorities.

The assets I collected were regularly delivered to the SS Economic and Administrative Head Office against receipts, and they in turn passed on the assets to the Reichsbank, the Reich Ministry of Finance, textile concerns, etc.

On the orders of the Reichsfuehrer SS, necessary articles could be removed for the maintenance of persons of the German race. The Reichsfuehrer SS forbade any appropriation for the purposes of the SS.

What is remarkable about the accounting is that no hard and fast basis for the amount collected existed, as the collection of the assets was carried out under orders and only the decency and honesty, as well as the surveillance, of the SS men used for this purpose could guarantee a complete delivery. Nevertheless what was seized and collected and received by the Department Reinhardt was listed and delivered without error and with the greatest accuracy. A preliminary examination up to 1.4.43 by SS Obersturmbannfuehrer Vogt of the SS Economic and Administrative Head Office has already taken place and has revealed perfect order. For the balance, the preliminary examination has still to be carried out.

In accordance with an agreement with the Reich Ministry of Finance, this preliminary examination is final and the vouchers and data will be destroyed in accordance with Security regulations, cutting out the Reich Accounting Office.

II. The assets accounted for are divided into:

1. Sums of Reichsmarks and Zloty. The entire expenditure transport costs, dues, etc. incurred as a result of this Action were covered from these receipts. By far the greater portion was placed at the disposal of the SS Economist in the Government General and the amounts were credited to the Action Reinhardt in Reichsmarks by the SS Economic and Administrative Head Office by an accounting transaction and handed over to the Reichsbank.

A small portion was used for foreign currency reasons as a credit for various economic enterprises and then also credited by the SS Economic and Administrative Head Office by an accounting transaction.

In addition, differences arising from increases in the price of urgently required raw material supplies were covered. All these transactions were carried out with the consent of the SS Economic and Administrative Head Office. A further amount was placed at the disposal of the Concentration Camp currently for additional building operations, to develop the economic concern and to obtain the necessary agricultural machinery, etc. Exact accounts were kept of this, the purchases were always confirmed by me, and the documents covering this will also be attached to the final account. The accounts were kept by the Administrative Chief of the Concentration Camp and were actually kept separate from my administration, as the Concentration Camp Administration was independent of the SS Garrison Administration Lublin by order of the SS Economic and Administrative Head Office. The authority which finally takes over the concern will have to reimburse Reinhardt for these expenditures.

2. Foreign Currency in bank notes or coined gold was collected, sorted, and also handed over to the Reichsbank via the SS Economic and Administrative Head Office.

3. Jewels, jewelry, watches and such like were sorted according to their value and delivered to the SS Economic and Administrative Head Office. On orders from this office, watches of non-precious metals were handed over to the troops, spectacles were repaired and placed at the disposal of wounded persons, and

utensils of no value were principally handed over to Wehrmacht authorities to cover urgent needs. The necessary transfer vouchers are available.

4. Textiles, garments, underclothing, bed feathers and rags were collected and sorted according to their quality. The sorted articles had to be searched for hidden valuables and finally disinfected. More than 1,900 wagons were then placed at the disposal of the authorities named by the Reich Ministry of Economy by order of the SS Economic and Administrative Head Office. Out of these stocks not only foreign workers were clothed but a large portion was used for re-manufacture. No case of sickness became known, although these garments frequently came from persons suffering from spotted typhus. The disinfection therefore was adequate.

The best garments were separated and by order of the Reichsfuehrer SS were used for supplying persons of the German race. Shoes were also sorted according to how far they could be used and then either given to persons of German race or to concentration camps for supplying inmates, or else taken to pieces and used for wooden shoes for supplying inmates.

5. Individual valuables of a special kind, such as stamps, coins, and such like were sorted and delivered to the SS Economic and Administrative Head Office; worthless articles were destroyed.

6. Other articles received, such as soap, washing materials, crockery and cutlery, and the like, were used in the Jewish camps; glass, old iron articles, etc., were sent to the salvage centers for re-manufacture.

7. The food brought on the transports was used to help provision the Jewish camps.

8. Valuable furniture and household utensils were reconditioned and mainly put at the disposal of settlers of German race. But furniture was also loaned to German and Wehrmacht authorities against an accommodation bill. Inferior goods were either destroyed or given to the population as a reward for good work at the harvest, etc.

It was attempted to take from articles which could no longer be used parts such as locks, hinges, and the like, and to use these elsewhere.

The vouchers pertaining to the loaned articles were submitted monthly to the Higher SS and Police Chief East.

In accordance with the order of the Reichsfuehrer SS of the 22.9, the total takings are now closed, evaluated and passed on, so that there is hardly any mass left now.

Equipment which was necessary for carrying out the Action, such as barracks, camp equipment, vehicles, and such like, which had been purchased out of the monies obtained, is still on hand.

This equipment has been registered. A decision must, however, still be taken as to what purpose it is to serve.

The total value of the articles received is, according to the attached list, approximately 18,000,000 Reichsmarks. However, minimum values have been assured, so that the total value is most likely twice as much, quite apart from the value of the articles obtained which are in short supply, such as textiles, of which alone more than 1,900 wagons have been made available to German industry.

[signed] GLOBOCNIK
SS Gruppenfuehrer and Lt. General of Police

Assets delivered from Action Reinhard

The following assets from the Action "Reinhard" were delivered to the SS Economic and Administrative Head Office, Berlin, for further transmission to the Reichsbank or to the Reich Ministry of Economics:

a. Reichsmark sums totaling RM	53,013,133.51
b. Currency in Bank notes from all the principal countries in the world (half a million dollars being particularly to be noted) to a total value of	1,452,904.65
c. Foreign currency in gold coins to a total value of	843,802.75
d. Precious metals (about 1.800 kg. of gold and about 10.000 kg. of silver in bars) to a total value of	5,353,943.00
e. Other valuables such as jewelry, watches, spectacles, etc. (the number of watches being particularly worthy of note—about 16,000 in working order and about 51,000 requiring repair; they have been placed at the disposal of the troops)	26,089,800.00
f. About 1,000 wagons of textiles to a total value of	13,294,400.00
Total RM	100,047,983.91

1,000 wagons of textiles and about another 50% of the above mentioned assets—which still have to be counted and valued—are warehoused here. It should be noted here that the estimated values were based on the officially established rates of exchange or prices, which however would be much higher on the open market, for instance in the sale of precious stones or precious metals abroad, as the flight to investments in articles whose value is not subject to much fluctuation is much greater there than with us. Besides these sales abroad bring us foreign currency. If these prices were taken as a basis of evaluation here, this was done in order to be able to give a picture of the assets delivered; in general this evaluation is not authoritative. The value of the acquisition lies principally in the fact that such large quantities of urgently needed raw materials can thereby be gained and that, on the basis of the assets obtained, foreign currency can be brought in, with which raw materials can in turn be bought by Reich authorities.

[Sgd.] Globocnik

SS Gruppenfuehrer and Lieut. General of Police.

1 detailed list enclosed herewith.

List of Jewish property received for delivery up to 3.2.1943, showing values

[Editor's Note: The following tables are reproduced as they appear in original German document although accuracy of calculations is questionable.]

[rubber stamp]

Personal Staff Reichsfuehrer SS Ref. No. Secret/115

1. Cash in hand	RM	15,931,722.01
Delivery SS-Economist, Cracow		31,500,000.00
SS-Econ.-Admin. Head Office Berlin-(RB)		5,581,411.50
	RM	53,013,133.51

2. Foreign currency in notes		Rate of exchange		
USA Dollars	505,046.00	2.50	RM	1,262,615.00
Pal. Pounds	1,069/00/00	9.30		9,941.70
Pengoes	16,435.00	.60		9,861.00
Roubles	294,070.00	.10		29,407.00
English Pounds	3,822/00/00	9.30		35,544.60
Canadian Dollars	3,840.75	2.50		9,601.87
Pesetas	131.00	2.40		314.40
Czech Croons	789,630.00	.10		78,963.00
French Francs	22,767.50	.05		1,138.37
Brazilian Francs	8.00	.09		.72
South African Pounds	28/10/00	4.40		125.40
Turkish Pounds	5/50/00	1.90		10.45
Dutch Gulden	1,720.00	1.33		2,287.60
Swiss Francs	7,530.00	5.80		4,367.40
Lira	883.00	.13		114.79
Levas	100.00	.01		1.00
Australian Pounds	15/10/00	2.50		38.75

Lei	13,486.00	.02	269.72
Egyptian Pounds	4/10/00	4.40	19.80
Belgas	4,203.00	.40	1,681.80
Lats	10.00	.10	1.00
Argent. Pesos	90.00	1.00	90.00
Paragu.	10.00	.60	6.00
Swedish Croons	455.00	.60	273.00
Norwegian Croons	165.00	.60	99.00
Dinars	30.00	.05	1.50
Slov. Croons	59,608.75	.10	5,960.88
Litas	140.00	.10	14.00
			RM 1,452,904.65

3. Currency in gold coins		Rate of exchange	
USA Dollars	116,425.00	4.20	RM 488,985.00
Roubles	91,362.00	2.15	196,428.30
English Pounds	3,822/00/00	20.40	77,969.00
Austrian Crowns	30,940.00	.85	26,299.00
Austrian Shillings	1,975.00	....	1,185.00
Ducats	2,366.00	10.00	23,660.00
Finnish marks	20.00	1.00	20.00
Reichsmarks	12,730.00	1.00	12,730.00
Zloty	1,080.00	.50	540.00
Danish Crowns	230.00	.52	119.60
Czech ducats	2.00	10.00	20.00
Portuguese reis	15,000.00 (150 Ese)	1.00	150.00
Pesetas	25.00	1.50	37.50
French francs	8,005.00	1.62	12,968.10
So. African Pounds	2/00/00	20.40	40.80
Turkish pounds	47/00/00	3.50	164.50
Dutch gulden	315.00	17.00 (f.1oHf1)	535.50
Swiss francs	490.00	16.50 (f.2oFrs)	404.25
Lira	1,210.00	.50	605.00
Australian pounds	8/10/00	20.40	172.60
Lei	1,140.00	.50	570.00
Belgas	140.00	.50	70.00
Swedish crowns	2.00	11.20	22.40
Norwegian Crowns	35.00	11.20	39.20
Dinars	30.00	.50	15.00
Cuban pesos	10.00	4.20	42.00
Alb. francs.	20.00	.50	10.00
		Total	RM 843,802.75

4. Precious metals		
1,775.46 kg. of gold in bars	@ RM 2,784.00	RM 4,942,870.00
9,639.34 kg. of silver in bars	40.00	385,573.00
5.10 kg. of ....(?) platinum....	5,000.00	25,500.00
	Total	RM 5,353,943.00

5. Other valuables		
5 Gold revolving pencils	@ RM 30.00	RM 150.00
17 Gold fountain pens	70.00	1,190.00

4	Ladies' platinum watches	@ RM 300.00	RM 1,200.00
2894	Gentlemen's pocket watches, gold	500.00	1,427,000.00
578	Gentlemen's wrist watches, gold	300.00	173,400.00
7313	Ladies' wrist watches, gold	350.00	1,828,250.00
19	Platinum watch cases with brilliants and diamonds	1,000.00	19,000.00
280	Bracelets with brilliants and diamonds	3,500.00	980,000.00
6245	Gentlemen's wrist watches	10.00	62,450.00
3455	Gentlemen's pocket watches	20.00	269,100.00
1	Gentleman's pocket watch—gold with brilliants	600.00	600.00
179	Ladies' gold watches with brilliants and diamonds	600.00	107,400.00
7	Ladies' ring watches, gold	150.00	1,050.00
4	Ladies' fob watches with pearls	200.00	800.00
394	Ladies' fob watches with brilliants	600.00	236,400.00
228	Ladies' platinum and brilliant watches	1,200.00	273,600.00
293	Ladies' fob watches, gold	250.00	73,250.00
2324	Spectacles	3.00	66,972.00
3	prs cuff links with brilliants	150.00	450.00
1675	Rings, gold with brilliants and diamonds	1,500.00	11,675,000.00
7200	Ladies wrist watches	10.00	75,000.00
40	Gold brooches	350.00	14,000.00
1399	prs gold earrings with brilliants	250.00	349,750.00
169	Tie pins with brilliants and diamonds	100.00	16,900.00
1974	Gold brooches with brilliants and diamonds	2,000.00	3,948,000.00
27	Gold bracelets with brilliants and diamonds	250.00	6,750.00
49	kg. Pearls		4,000,000.00
7000	Fountain pens	10.00	70,000.00
130	Single large brilliants	1,000.00	130,000.00
2	Necklaces with brilliants and diamonds	1,500.00	3,000.00
1	Gold cigarette case	400.00	400.00
1	Mother of pearl casket		20.00
3	Gold Compacts	50.00	150.00
2	Mother of Pearl opera glasses	50.00	100.00
1.44	kg. Corals		150.00
1370	Watches requiring repair	5.00	256,850.00
1000	Revolving pencils	3.00	3,000.00
350	Shaving equipment	2.50	875.00
800	Pocket knives	1.00	800.00
3240	Money purses	1.50	4,860.00

1315	Brief cases	@ RM	2.50	RM 3,287.50
1500	prs Scissors		0.50	750.00
230	Flashlights		0.50	115.00
2554	Alarm clocks requiring repair		3.00	7,662.00
160	Alarm clocks in running condition		6.00	960.00
477	Sun glasses		0.50	238.50
41	Silver cigarette cases		30.00	1,230.00
230	Clinical thermometers		3.00	690.00
			Total	RM 26,089,800.00

6. Textiles

462	Wagons of rags	@ RM	700.00	RM 323,400.00
251	Wagons of bed feathers		10,000.00	2,510,000.00
317	Wagons of clothing and underclothing		33,000.00	10,461,000.00
			Total	RM 13,294,400.00

Totals

1.	Cash and cash balance delivered	RM 53,013,133.51
2.	Foreign currency in notes	1,452,904.65
3.	Foreign currency in gold coin	843,802.75
4.	Precious metals	5,353,943.00
5.	Miscellaneous	26,089,800.00
6.	Textiles	13,294,400.00
	Total	RM 100,047,983.91

Lublin, 27 February 1943.

/S/ [?]
SS Sturmbannfuehrer

Situation with Regard to Orders of the Concerns of the SS and Labor Camps in Lublin District on 3 November 1943

I. The situation with regard to orders, according to Industrial concerns:

1.	Ostindustrie G.n.b.H. (Eastern Industry Co., Ltd.), Lublin	ZI 5,552,700.00	Encl.
2.	German Equipment Works, Lublin	ZI 7,989,000.00	Encl.
3.	Textile Works, Poniatowa	ZI 13,000,000.00	Encl.
4.	Fur Works, Trawniki	ZI 4,536,000.00	Encl.
	Total	ZI 31,077,700.00 [2]	

II. This total situation with regard to orders is divided up into the following manufacturing groups:

Lumber	ZI 5,728,000.00
Metal	ZI 4,171,000.00
Textiles	ZI 10,338,200.00
Leather	ZI 1,970,000.00
Furs	ZI 4,816,000.00
Others [3]	ZI 4,054,500.00
Total	ZI 31,077,700.00

[2] As it is almost entirely a question of wage contracts, the situation with regard to orders represents essentially only wage and administration costs. The actual value of production if the concerns had to produce their own materials would therefore have been at least 50% higher.

[3] Under other manufacturing groups the following are included amongst others: Production of peat or generator coke, the only roofing felt factory in Lublin district, 2 metal-making factories, 1 brush factory, the largest

bristle preparing establishment of the Government General, basket and straw plaiting, and printing concerns, production of concrete parts for building huts.

[signed] GLOBOCNIK

Enclosure I

Situation with regard to orders of the "Ostindustrie" G. Ltd., Lublin, the 3 November 1943

Factory	Orders	Customer	Total value in Zloty	Of which Wehrmacht orders in Zloty	Civilian orders in Zloty
II Peat Mine Dorohucza	(1) 420 tons peat coke	Waffen-SS	210,000	210,000	......
	(2) 4.5 tons tar	DAW	4,500	......	4,500
III Brush Factory	(1) 724,000 painting brushes and brushes of various kinds	W BA Berlin RWL II of the Waffen SS etc.	1,592,000	1,392,000	200,000
Factory for dressing bristles, Wicker works factory	(2) Repairs of 135,000 ammunition baskets	Munition store Lublin	216,000	216,000	......
	(3) 15,000 kg bristles for dressing	Various deliveries to Navy and to private firms	210,000	105,000	105,000
V Mechanical and other factories in Lublin	(1) Production of 1.5 million threaded fuses	Navy (Planning Syndicate)	1,350,000	1,350,000	......
	(2) Production of 4.5 million buckles	Cossack division (Army) and others	1,620,000	1,620,000	......

Factory	Orders	Customer	Total value in Zloty	Of which Wehrmacht orders in Zloty	Civilian orders in Zloty
	(3) Repairs to 37,500 tin packing receptacles	Munition store, Lublin	150,000	150,000	......
	(4) Taking to pieces of 3,000 gun carriage installations	Airforce (Planning Syndicate)	40,000	40,000	......
	(5) Repairs to 15,000 motor car component parts	HKP Lublin	75,000	75,000	......
	(6) Repairs to about 3,000 watches (or clocks) and other repairs of various kinds	Navy and civilian firms	60,000	15,000	45,000
	(7) Preparing 18,000 articles of military equipment	Factory Kienle Stuggart for Navy	25,200	25,200	.....
			5,552,700	5,198,200	354,500

The above figures for orders include, together with the current orders for permanent orders, figures for 3 months only.

Enclosure 2

Situation with Regard to Orders of the German Equipment Works—Works Dublin on the 3 Nov. 1943

Manufacturing Group	Total value in Zloty	Of this: Wehrmacht Orders in Zloty	Available Orders in Zloty
Wood	5,728,000.00	3,899,200.00	1,828,800.00
Metal	151,000.00	130,000.00	21,000.00
Textiles	28,000.00	14,000.00	14,000.00
Leather	660,000.00	570,000.00	90,000.00
Others	1,422,000.00	162,000.00	1,260,000.00
	7,989,000.00	4,775,200.00	3,213,800.00

Note.—The above figures of orders contain, besides the current orders, figures for three months only for permanent orders.

The German equipment works were the best developed works.

41 Aryan leading personnel ran 5,445 Jewish workers who worked 1,115,000 working days in the first 10 months of the year 1943 with 31,000,000 Zloty in the bank and till.

Woodworking was in the foreground, 7,600 square meters [Editor's note: Cubic meters are obviously meant] of wood being dealt with.

Shoemaking also rose to 337,250 pairs and was to be raised to 450,000 pairs by the repair work shop which is being newly added.

331,700 square meters of roofing felt were produced during this period.

Woodworking was to have been extended considerably by the purchase of a sawmill of their own and the byproducts utilized—as the production of wood for producer gas and the making of charcoal; the tar produced thus could again have been used in the production of roofing felt.

Another considerable production was the manufacturing of 2,500 Finnish tents and the monthly preparation of 25,000 packing containers.

71,000 knapsacks and haversacks were also repaired.

5,000 optical instruments were taken to pieces.

1,270 motor cars were repaired.

Production in 1944 is said to have been:

Wood cut	20,000 cubic meters
Manufacture of shelter equipment	15,000 units
Doors, windows, shelves	20,000 units
Bell tents	5,000 units
Preparation of packing containers	250,000 units
Wooden soles	6,000 units
Brush handles	4,800,000 units
Fuel for wood-burners	20,000 Rm.
Charcoal	4,500 Kg.
Roofing felt	2,000,000 Sq. m.

The capacity is best shown by the fact that 312 working unions of the partisans in the government, generally, did not even have twice the turnover of the DAW alone. The orders were covered by 83% work for the Wehrmacht and 17% for the civil field.

Enclosure 3

Situation with regard to orders of the textile works Poniatowa on the 3 November 1943

Manufacturing group	Orders	Customer	Total value in Zloty	Of this: Wehrmacht orders in Zloty	Civilian orders in Zloty
Textile orders.	Production and repair of 1,531,000 articles of clothing of all kinds.	Wehrmacht primarily HBA. Warsaw and Posen and HBA, Berlin and civilian firms.	10,285,000	7,200,000	3,085,000
Fur clothing.	Production of 28,100 articles of fur clothing of various kinds.	Wehrmacht	280,000	280,000	......
Leather goods.	Production of 132,000 articles or pairs of leather goods of various kinds.	Wehrmacht	1,310,000	1,310,000	......
Iron orders.	Production of nuts.	Working Syndicate D-OKH	725,000	725,000	......
Reinforced concrete construction.	Production of 20,200 reinforced concrete nuts.	Ministry of Armaments Speer (Armament-construction)	400,000	400,000	......
			13,000,000	9,915,000	3,085,000

Note.—The above figures of orders contain, besides the current orders, figures for 3 months only for permanent orders.

Appendix 2

Provisional balance sheet of the Action "Reinhardt" till, Lublin, for 15 December 1943

The following money and stocks were brought to the German Reich during the course of the Action "Reinhardt", Lublin, during the period 1 April 1942 to 15 December 1943 inclusive:

Cash		*Income*
Cash in hand	RM	17,470,796.66
To the Reichsbank Berlin, Reichsmark notes and coins		3,979,523.50
To the Reichsbank Berlin, Zloty notes and coins		5,000,461.00
To the SS economist, Cracow		50,416,181.37
Loans for SS industrial concerns		8,218,878.35
Income from title 21/E		656,062.40
Total		85,741,903.28
		Expenditure
Personal taxes, title 21/7a	RM	96,207.28
Expenditure in goods (of which about 40% for J-Transports title 21/7b)		11,765,552.62
Counterfeit money (Zloty notes)		28,062.64
Total		11,889,822.54

Totals		
Income	RM 85,741,903.28	
Expenditure		RM 11,889,822.54
Net income		73,852,080.74
	RM 85,741,903.28	RM 85,741,903.28

Precious Metals:

236 Gold bars	2,909.68 Kg	@RM 2,800.00	RM 8,147,104.00
2134 Silver bars	18,733.69	40.00	749,347.60
Platinum	15.44	5,000.00	77,200.00
			RM 8,973,651.60

Foreign Currency in Notes:

USA Dollars	1,081,521.40	@ RM 2.50	RM 2,703,803.50
English Pounds	15,646.11	9.30	145,512.80
Palestine Pounds	4,922.50	9.30	45,779.25
Canadian Dollars	8,966.25	2.50	22,415.62
Roubles	2,454,278.35	0.10	245,427.84
French Francs	1,468,486.35	0.05	73,424.31
Swiss Francs	119,302.33	5.80	691,953.51
Lire	6,465.08	0.10	646.50
Protectorate Croons	1,745,601.50	0.10	174,560.15
Turkish Pounds	39.50	1.90	75.05
Belgas	12,449.25	0.40	4,979.70
Lei	55,975.54	0.02	1,119.51
South African Pounds	119.50	4.40	525.80
Dutch Gulden	133,986.95	1.33	178,202.64
Levas	9,995,421.00	0.01	59,954.21
Australian Pounds	55.00	2.50	137.50
Diners	435,641.00	0.05	21,782.05
Karbowanetz	164,169.00	0.10	16,416.90
Pengoes	28,392.50	0.60	17,035.50
Slov. Croons	103,538.35	0.10	10,353.84

Drachmas	4,875,419.70	0.02	97,508.29
Swedish Croons	4,377.00	0.60	2,626.20
Norwegian Croons	775.00	0.60	465.00
Argentinian Pesos	977.55	1.00	977.55
Pesetas	1,471.00	2.40	3,530.40
Finnish Marks	1,140.00	0.05	57.00
Danish Croons	1,270.00	0.52	660.40
Brazilian Milreis	63.00	0.09	5.67
Egyptian Pounds	20/00/00	4.40	88.00
Litas	175.00	0.10	17.50
Yen (Japanese)	4.00	0.50	2.00
Lats	20.00	0.10	2.00
Paraguayan Pesos	12.00	0.60	7.20
Cuban Pesos	57.00	0.60	28.20
Uruguayan Pesos	1.00	0.60	0.60
Bolivian Pesos	4.50	0.60	2.70
Mexican Pesos	3.00	0.50	1.50
Albanian Francs	195.44	0.10	19.54
Rhodesian Pounds	8/00/00	4.00	32.00
New Zealand Pounds	0/10/00	4.00	2.00
Algerian Francs	30.00	0.10	3.00
Lux. Francs	40.00	0.50	20.00
Javan Gulden	10.00	1.30	13.00
Danzig Gulden	1,038.00	1.00	1,038.00
Columbian Pesos	1.00	0.60	0.60
Mozambique Escudos	1.00	0.60	0.60
Manchukuo Cents	15.00	0.50	7.50
Chinese Dollars	1.00	1.50	1.50
		Total	4,521,224.13

Currency in gold coins:

USA Dollars	249,771.50	@ RM 4.20	RM 1,049,040.30
English Pounds	610/00/00	20.40	12,444.00
Roubles	189,053.00	2.15	425,813.95
Austrian Crowns	73,230.00	0.85	62,245.00
French Francs	38,870.00	1.62	62,969.40
Reichmarks	23,485.00	1.00	23,485.00
Portguese Reis	20,000.00	200 Esc 1.00	200.00
Swiss Francs	6,970.00	16.50 (f.20 Frs)	23,001.00
Ducats	6,614.00	10.00	66,140.00
Lire	3,740.00	0.50	1,870.00
Austrian Shillings	2,925.00	2.3	1.950.00
Turkish Pounds	417/75/00	3.50	1,462.12
Belgas	1,740.00	0.50	870.00
Levas	30.00	0.50	15.00
Lei	1,177.50	0.50	588.75
South African Pounds	4/00/00	20.40	81.60
Dutch Gulden	905.00	17.00 (f.10 Fl)	1,538.50
Australian Pounds	7/00/00	20.40	142.80
Dinars	41.00	0.50	20.50
Swedish Crowns	30.00	11.20 (f.10 Kr)	33.60
Norwegian Crowns	55.00	11.20 (f.10 Kr)	61.60
Pesetas	50.00	1.50	75.00

Finnish Marks	80.00	1.00	80.00
Zloty	2,060.00	0.50	1,030.00
Danish Crowns	360.00	11.20 (f.10 Kr)	403.20
Czechoslovakian Ducats	17.00	10.00	170.00
Yen	2.00	0.50	1.00
Cuban Pesos	10.00	4.20	42.00
Mexican Pesos	111.50	4.20	468.00
Albanian Francs	20.00	0.50	10.00
Jugoslavian Ducats	1.00	5.00	5.00
Tunisian Francs	180.00	1.62	291.60
Peruvian Libre	1.00	1.00	1.00
Chilean Dollars	1.00	4.20	4.20
		Total	1,736,554.12

Jewelry and other valuables:		Average in RM	RM
15,883	Rings, gold, with brilliants and diamonds	1,500.00	23,824,500.00
9,019	Ladies' gold wrist watches.........	250.00	2,254,750.00
3,681	Gentlemen's gold pocket watches...	500.00	1,840,400.00
353	Bracelets with brilliants and diamonds	3,500.00	1,232,000.00
1,716	Gold earrings with brill. and diam.	250.00	429,000.00
2,497	Gold brooches with brill. and diam..	2,000.00	4,994,000.00
130	Single large brilliants	1,000.00	130,000.00
2,511.37	Carat Individual brilliants.........	100.00	251,137.00
13,458.62	Carat Individual diamonds	50.00	672,931.00
291	Tie pins with brilliants............	100.00	29,100.00
660	Gentlemen's gold wrist-watches ...	100.00	66,000.00
458	Ladies' fob watches with brilliants.	500.00	229,000.00
273	Ladies' watches of platinum & brill.	1,200.00	327,600.00
349	Ladies' gold fob watches...........	250.00	87,250.00
362	Ladies' gold watches with brill. & diam.	600.00	317,200.00
27	Armbands with brill. & diam.......	250.00	6,750.00
40	Gold brooches	350.00	14,000.00
18	Cufflinks with brilliants...........	160.00	2,700.00
114.20	Kg. Pearls	......	6,000,000.00
63	Plat. & Brill. watch cases..........	1,000.00	63,000.00
4	Ladies' platinum watches..........	300.00	1,200.00
3	Gentleman's pocket watches with brill.	600.00	3,000.00
4	Necklaces of brilliants and diamonds	1,500.00	6,000.00
8	Ladies' golden ring-watches........	150.00	1,200.00
4	Ladies' fob watches with pearls....	200.00	800.00
18	Gold fountain pens	20.00	360.00
5	Gold revolving pencils	15.00	75.00
1	Gold cigarette case	400.00	400.00
60,125	Watches of various kinds..........	10.00	601,250.00
7.80	Kg. Coral	......	600.00
3	Golden compacts	50.00	150.00
103,614	Watches to be repaired............	2.00	207,228.00
29,391	Spectacles	3.00	88,173.00

350	Shaving equipment	2.00	700.00
800	Pocket knives	1.00	200.00
3,240	Money purses	1.50	4,860.00
1,315	Briefcases	2.50	3,287.50
1,300	Scissors	0.50	750.00
230	Flashlights	0.50	115.00
6,943	Alarm clocks, to be repaired	1.00	6,943.00
2,343	Alarm clocks, in order	4.00	9,372.00
627	Sunglasses	0.50	313.50
41	Silver cigarette cases	15.00	615.00
230	Clinical thermometers	3.00	690.00
		Total	43,662,150.00

Textiles:

1901 Wagons of clothing, underclothing, bed feathers and rags to an average value of	RM	26,000,000.00
Camp articles to an average value of		20,000,000.00
Total		46,000,000.00

Total Compilation

Currency delivered, Zlotys and RM-Notes	RM	73,852,080.74
Precious metals		8,973,651.60
Foreign currency in notes		4,521,224.13
Foreign currency in gold coins		1,736,554.12
Jewelry and other valuables		43,662,450.00
Textiles		46,000,000.00
Total		178,745,960.59

[signed] Rzepa
SS Oberscharfuehrer and Chief of Cash Office

[signed] Wippern
SS Sturmbannfuehrer and Chief of Administration
[sgd] Globocnik

[Rubber Stamp:] Personal Staff Reichsfuehrer SS, Ref. No. ....
Secret/115
[initialled] H. H. [Himmler]

Measures for Pacifying Foreign Nationals During Transfer of Populations

Z-Villages 1. Poles who are fit for work have already been resettled during previous expulsions on so-called z-farms within the colonization area, with an increase of their former property. These z-farms form the nucleus of the z-village, where the German settlers and Polish workers are lodged. Not only do these Polish workers receive a guaranteed wage and an employment book, but their food supply is also cared for through the SWG.

Security Questions. 2. Only elements with a bad record will be expelled for security reasons. For this reason the security police are at present carrying out the following:

a. Villages which lie within that part of the district of z-areas which is to be colonized will be combed for elements who are a danger to security, so that only the reliable part of the population will remain.

b. Villages which lie outside the colonization area and are considered to be bandit infested are subject to same action. The population mentioned under paragraph *a* will then be invited to emigrate voluntarily to the uninhabited farms mentioned under paragraph *b*. By this action the colonization area will be free and can be colonized by Germans.

Security measures are always looked upon with understanding by the peaceful part of the population; this will therefore be a way to pacify the population.

The Question of Expropriation. 3. All Poles, including those who are being brought into the labor cycle in the Reich, are to be given certificates confirming what property they have left behind. They will be informed that they will receive a suitable compensation some time in the form of goods or cash. This applies also to those who have already been expelled to date. The certificates are to be issued by the DUT. I request the Reichsfuehrer SS to give his approval to this.

State Property. 4. Admission of the whole of the expelled population into State property is not possible because of the overcrowding of the space.

Time for Colonization. 5. Owing to the favorable weather, spring tilling can take place five weeks earlier than usual this season. Owing to this shift in time, colonization will be carried out after the completion of spring tilling. This has the advantage on the one hand that the Poles can till their fields normally and production will not be upset, while on the other hand the settlers will not run the risk of not being able, in view of the shortness of the time, to carry out their spring tilling, owing to ignorance of local conditions. The settlers will, therefore, have the benefit of the harvest, and their reconstruction work can be carried out without any hurry.

6. The classification into four groups could take place without any further ado, owing to the fact that Groups I and II, as racially valuable, have no objection to being transferred to the Reich anyhow; Group III, for the greater part, will remain here in any case, whereas Group IV will be sent for employment as laborers. The communications from persons previously sent to the Reich.

reporting that they are getting on well there, and the people's realization of the fact that up to now nobody has been treated like the Jews have already taken away the frightening atmosphere surrounding this system of grouping. It is precisely in such cases that one has to await the results of measures; only then does the realization prevail. The rumor mongers are then proved to be liars without any further ado.

7. Again I request you to consider whether my former proposal to lodge the expelled Poles, and especially also the Ukrainians in the Eastern territories, especially the Ukraine, may not be feasible after all. I believe that there is not only sufficient space today because of the events of the war, but also that this form of transferring population with new allocations of land would have the best results and that it facilitates the expulsion. For the Ukrainians this would mean a return to their own area. A tendency in this direction exists already, and for the Poles it is a fact with which they have reckoned for a long time.

I therefore request the Reichsfuehrer SS to leave the hitherto existing measures as they are.

The above-mentioned facts may not have been known to governor Waechter when the report was made.

[signed] Globocnik
SS Gruppenfuehrer and Lieut. General of Police

[Rubber Stamp]
Personal Staff, Reichsfuehrer SS
Correspondence administration
File No. Secret/115

Measures for the further transfer of populations

As many quarters express themselves against the transfer of populations on the grounds that it causes too much unrest among the foreigners, thus disturbing production, the following measures have been decided upon:

1. Verbal propaganda will spread news about the discontinuation of these transfers.

2. No authority will announce anything before the actual moment when the transfer of populations is to be carried out. Planning will be done secretly.

3. The time for immigration will be fixed for after the spring tilling of the fields, so that the foreigners will carry out the culti-

vation of the land, and the new settlers will already be able to make use of the harvest. This has the advantage that, under the above mentioned presuppositions, the foreigners will till their fields in all districts, while the German settlers will not run the danger, in view of the shortness of the time, of possibly being hindered in their spring work.

4. The transfer of Poles should be carried out in such a manner that the good elements are put, as much as possible voluntarily, in districts cleared by the Security Police, and the transfer is entitled "The Establishment of Security in the Partisan districts". The bad elements will be taken away gradually, where they are not employed as auxiliary workers.

5. The announcement of the time of immigration will be made only on the day of the transfer of population.

6. All villages will be occupied in advance by the "Landwacht" (country guard) in all parts of the organization formed by settlers, who, having received previous training, are to save the use of our own SS forces.

O. U. the 1 July 1943
[initialled] H. H. [Himmler]

Memorandum

1. In the course of the security operation Werewolf I, the area roughly west of the points colonization area via Bilgoraj-Tarnogrod, bordered on the West by the district frontier, extending southwards are far as Belzec and from there along the road via Tomasgow to Zamosc as far as the southern border of the colonization area has been cleared of the native population.

2. The part to the South of the Bilgoraj wood will be handed over to the Ukrainians and in such a manner that—

a. The Ukrainians already living there will receive more land up to an average area of 6 hectares, so that a part of the evacuated land will already be colonized in that way, and

b. Where there are too few native Ukrainians, Ukrainian families will be moved from the Hrubieszower area and resettled there. The Ukrainian inhabited area will thus be loosened there and ground will be freed adjoining the colonization area.

3. The Bilgoraj wood itself will be completely evacuated and will not be recolonized.

4. The part to the north of the Bilgoraj wood, limited roughly by the Tomasgow-Krasnobrod road and further, will also be newly colonized with Ukrainians as under 2*b*.

5. The area to the South of the present colonization area of Zamosc will thus remain vacant, and racial Germans and persons of German stock can be settled there. Persons of German stock from the district of Hrubieszow have already been collected for this purpose. This is all the more necessary as they are not being abandoned to Polishdom as stray Germans.

6. In the course of the operations, the towns of Tomasgow and Zamosc will also be evacuated of Poles, and Germans are to be settled there. Accordingly the Security operation would have the following effect:

(I) The population of this area, who have lived on robbery and banditry for decades, is removed.

(II) About 30,000 workers are brought to the Reich.

(III) The territory surrounding the German settlement area will then be settled with Ukrainians, who form a sort of buffer and are more peacefully inclined toward Germandom.

(IV) In addition, as a result of this colonization, the state of tension of the Poles will be transferred to the Ukrainians, and they are turned into defense forces.

(V) A new agrarian structure arises as proletarian ownership disappears and an average farm area of 6 hectares is formed, which contributes to intensification and increased production.

(VI) The German colonization territory will be free for a further influx of Germans, this presupposing a security measure. But the German colonization territory will thereby be enlarged which helps toward the essential security of the territory. Pressure by the Poles can then be exerted only from the North and it is then easier to guarantee the security of the colonization territory from one side.

[Signed] Globocnik
SS Gruppenfuehrer and Lt. General of Police.

Trieste, 4 November 1943

The Higher SS and Police Chief in the Operational Zone of the Adriatic Coastal Area.
Gl./Go. Diary No. 225/43 [initialled] H. H. [Himmler]

To the
Reichsfuehrer SS and Chief of the German Police, Heinrich Himmler, Berlin

I concluded Operation Reinhardt, which I have been directing on the government-general, on 19.10.1943, and have dissolved all camps.

I take the liberty of submitting the attached portfolio to you, Reichsfuehrer, as my final statement.

My observations on Lublin showed that a special center of radiation existed in the government-general and particularly in the Lublin district, and I have tried, therefore, to capture these dangerous tendencies graphically. It may prove to be a good thing for the future if we can point to the elimination of this danger. I have, however, also endeavored to give a picture of the employment of labor, from which one can not only gather the extent of the work, but also with how few Germans this fatal effort was made possible. It has at any rate grown to such proportions today, that well known industries are interesting themselves in it.

I have meanwhile handed these labor camps over to SS Obergruppenfuehrer Pohl.

Please, Reichsfuehrer, look through this portfolio.

During a visit, you, Reichsfuehrer, held out to me the prospect that a few Iron Crosses might be awarded for the special performances of this hard task after the work had been concluded. Please advise me, Reichsfuehrer, whether I may submit suggestions in this connection.

I beg to point out that such an award to the forces of the local SS and Police Chief was authorized for the work in Warsaw, which formed only a comparatively small part of the total work.

I should be grateful to you, Reichsfuehrer, for a positive decision regarding this matter, as I would like to see the hard work of my men rewarded.

Heil Hitler!
[signed] Globocnik
SS Gruppenfuehrer and Lieut. General of Police

Note for the files
Action "Reinhardt" also comes under "Top Secret" 1851/43 Secret.
[Initialed] H

Field-Command Post, 30 Nov. 1943

The Reichsfuehrer SS
RF/M

[Rubber Stamp]
Personal Staff, Reichsfuehrer SS Correspondence Administration.

File No. Secret 155

To the
Higher SS and Police Chief in the Adriatic Coast zone of operations,
SS Gruppenfuehrer GLOBOCNIK
Trieste

Dear GLOBOCNIK,

I confirm receipt of your letter dated 4.11.43 and your notification regarding the termination of action Reinhardt. Also I thank you for the portfolio you sent me.

I express to you my thanks and my acknowledgment for the great and unique services which you have performed to the entire German people by carrying out the action Reinhardt.

Heil Hitler!
Sincerely yours
[signed] H. H. [H. Himmler]

TRANSLATION OF DOCUMENT 4032–PS

DEPOSITION OF KARL REIF

Deposition on oath of Karl REIF, male, German nationality, of Lubeck-Travemunde, Fehlingstrasse 71a, sworn before Captain Duncan ELLIS, East Surrey Regiment, Investigating Officer, of War Crimes Investigation Unit, HQ British Army of the Rhine, at Lubeck on the 29th day of May 1946.

1. I was arrested in Munich by the Gestapo in August 1936 as I had brought anti-Nazi leaflets and newspapers from Switzerland to Munich. After my arrest I was placed in the concentration camp at Dachau. On the 29th of September 1939, I was sent from Dachau to Mauthausen where I was interned until the 22nd of June 1942.

2. I cannot remember the exact date, but one day at one o'clock in the afternoon in May or June 1942 HIMMLER came with a

party of thirty to thirty-five high-ranking officers of the SS, the Wehrmacht, and the Nazi Party and with them was also Ernst KALTENBRUNNER.

3. When they arrived I was working in the "Wiener Graben" quarry where the party parked their cars. I immediately recognized KALTENBRUNNER from the photographs of him which I had seen in the newspapers and KALTENBRUNNER was also recognized at once by many other Austrians who were working there in the quarry.

4. I was carrying stones from the quarry into the camp and saw the party inspecting everything in the camp under the guidance of Commandant ZIERREISS. They began with the hospital, then went to the scullery and the prisoners' cook-house and afterwards into the cells, in the cellar of which was situated the crematorium, the morgue, and the gas chambers connected with the crematorium by a special entrance. The party left the camp at about 18.30 hours.

[signed] Karl REIF

Sworn by the said Deponent, Karl REIF, at Lubeck, on the Twenty-Ninth Day of May, 1946, before me,Captain Duncan ELLIS, East Surrey Regiment, Investigating Officer, War Crimes Investigation Unit, HQ, British Army of the Rhine, detailed by C-in-C British Army of the Rhine.

[signed] D. ELLIS, Captain
East Surrey Regiment

TRANSLATION OF DOCUMENT 4033-PS

DEPOSITION OF OSWALD POHL

Deposition on oath of Oswald POHL, male, of Armsen 89, sworn before William K. MURDOCH, Capt. P.C., of War Crimes Investigation Unit at Tomato on 28 May 46.

I can testify with certainty that I have spoken to and seen SS-Obergruppenfuehrer Ernst KALTENBRUNNER on official business in the fall of 1943 or spring of 1944 in the Officers' Mess in MAUTHAUSEN, located at the righthand side in front of the camp entrance. I had there with him my noonday meal.

[signed] Oswald POHL

Sworn by the said Deponent, Oswald POHL voluntarily at Tomato on 28 May 1946 before William K. MURDOCH, Capt. P.C., detailed by C-in-C, British Army of the Rhine.

[signed] W. K. MURDOCH Capt. P.C.
War Crimes Investigation Unit.

TRANSLATION OF DOCUMENT 4038–PS

[From front page of the daily newspaper, the "New Warsaw Courier," No. 56 of 7 March 1941, published in Polish by the German authorities in Warsaw.]

Chief of the District Warsaw

DECREE

On 7 March 1941 in the morning, a German, Igo Sym, director of the Theater of the City of Warsaw, was shot in his residence by a Pole.

Due to this horrible crime, I issue the following orders:

(1) Arrest of a considerable number of hostages.
(2) Prohibition of all performances in Polish theaters, cabarets, restaurants, and other places of entertainment up to and including 7 April.
(3) Curfew for Poles from 8 p.m. until 5 a.m.

If the name of the criminal has not been reported to the German authorities within three days the hostages will be shot.

This decree comes into force with its publication.

Warsaw, 7 March 1941

[signed] Dr. Fischer
Governor

TRANSLATION OF DOCUMENT 4039–PS

[Poster Displayed in Warsaw May 1941]

PROCLAMATION

Several cases of damages inflicted upon military installations and equipment, serving the defense of the country, induce me to state that even the removal of insignificant objects (as wooden poles and iron parts) constitutes an injury to military installations.

The intentional damaging of military equipment and installations of the German army will be sentenced by death in pursuant to the decree concerning the combating of violence in the General Government dated 31 October 1939.

I reserve the right to arrest hostages from communities located in the territory where the crimes take place in all those cases when the culprit is not found.

Warsaw, 5 of May 1941

The District Chief in Warsaw
[signed] Dr. Fischer
Governor

[Posters which were made public by the German authorities in Warsaw during the occupation of Poland.]

[ITEM I]

PROCLAMATION

On 15 July 1943 at noon, a hand grenade was thrown by Polish criminals into a marching column of the Warsaw SA, by which a number of SA men were wounded, some seriously.

After all warnings of the German authorities have so far been in vain, as reprisals a large number of Poles in the hands of the police together with the caught criminals were shot to-day.

In future for every case of murder or injury to a German by political criminals or bandits a number of Poles will immediately be shot.

Warsaw, 16 July 1943

The SS and Police Leader in the Warsaw District

[ITEM II]

PROCLAMATION

The court martial of the Security Police, in accordance with Art. 1 or 2 of the decree of 2 Oct 1943, condemned the following persons to death for committed criminal acts:

[Here follow the 37 names of the condemned]

Out of those—

1. Kowalski Czeslaw, born 7.4.1911
2. Rosner Benno, born 5.11.1919

were already executed. The others are suggested for mercy. If, however, within the next 3 months attacks are made on Germans, nationals of the states allied with Greater Germany, or nonGermans working in the interest of the reconstruction work in the Government General, at least 10 of the above named people will be executed for each attack on such a person. In case of crimes of communistic elements, of members of communistic organizations and of the other resistance groups such persons will be executed who belong to these groups. It is now up to each individual Pole, through immediate apprehension of the culprits or by influencing misguided persons known to him or by denouncing of suspicious persons to save the lives of the above named, which they have already forfeited through their misdeeds but which will be spared through the clemency of the Government.

Warsaw, 30 October 1943

The SS and Police Leader Warsaw District

[ITEM III]

PROCLAMATION

On November 22nd 1943, near the village of Szymanow within the prefectional district of Sochaczew, an attack with explosives has been carried out on the express-train coming from Warsaw. On this occasion the train was fired on and a member of the SS has been killed and other Germans were in part seriously injured. It could be ascertained with certainty that the deed was committed by Poles, belonging to the so-called National Resistance Movement, i.e., to the PZP. The perpetrators of the deed had come from Warsaw to the locality of the crime in order to carry out their malicious attack, and had returned there afterwards.

Therefore, as a retaliation for this cowardly deed, I had the following 20 criminals named publicly shot on January 1st 1943, all of them belonging to the so-called National Resistance Movement, i.e., to the PZP and were among the persons sentenced by the court martial of the Security Police and originally considered for reprieve.

[Here follow the 20 names of the persons shot]

The Chief of the SS and the Police in the District of Warsaw
Warsaw, 1st December 1943

[ITEM IV]

PROCLAMATION

On 2 December 1943 in the Feldherrn-Allee in Warsaw another treacherous attack was made on a personnel carrier of the municipal police. Hereby 5 policemen and 1 Waffen SS man were killed and some policemen injured. Through statements of an accomplice in the attack the Pole Wojciech Lesakowski born 1 February 1923 in Dublin resident of Warsaw Zurawia Street 26/9 it is established beyond a doubt that the attack was committed by a terror group of the England subservient resistance organization "PZP".

In reprisal hereto I had the following 100 criminals, who in accordance with Art. 1 and 2 of the decree concerning the checking of attacks on the German reconstruction work in the Government General of 2 February 1943 had been condemned to death, publicly executed on 3 December 1943.

[Here follow the 100 names of the executed]

The executed belonged to England subservient resistance movements, that is mainly to the "PZP" and were partly intended for a pardon.

The SS and Police Leader in the Warsaw District
Warsaw, 3 December 1943

[ITEM V]

PROCLAMATION

On 4 December 1943, between the railway stations of Skruda and Debe-Wiefkie, an attempt with explosives was perpetrated against an Express train coming from Warsaw. The train was also fired on by the bandits. Three Germans were killed there and several seriously injured. Police investigations have established beyond any doubt that the act was committed by Poles who belong to the resistance group "PZP" subservient to England.

As reprisal for this cowardly act, I ordered on 7 December 1943 the 50 criminals mentioned below shot who, in accordance with Art. 1 and 2 of the decree concerning the checking of attacks on the German reconstruction work in the Government General of 2 February 1943 had been under death sentence by the court martial of the Security Police but had partly been designated for an act of mercy.

The executed persons belonged entirely to resistance organizations hired by England that is to say mainly to the "PZP".

[Here follow the 50 names of the executed]

The SS and Police Leader in the Warsaw District
Warsaw, 8 December 1943

[ITEM VI]

PROCLAMATION

On 12 January 1944 a "Sonderfuehrer" [special leader] was attacked and wounded by bandits in Warsaw, Jasnastrasse. On 13 January 1944 a Polish Police corporal was attacked and wounded by armed bandits in Srodkowestrasse. On 16 January 1944 armed bandits attacked and mortally wounded a Reich German post office official in Warsaw, Torplatz. Of the persons sentenced by the drum-head court-martial of the Security Police who were first designated for an act of mercy, I, thereupon, had executed by shooting the following listed persons:

[Here follows list of names of the 30 executed]

Furthermore, the following were sentenced to death for cooperation with forbidden organizations by the drum-head court-martial of the Security Police, according to article 1 and 2 of the decree to combat attacks against German reconstruction work in the GG [Government General] of 2 October 1943:

[Here follows list of names of the 33 persons sentenced to death]

Of the above, the ones listed under numbers 1 - 3 have been executed because arms were found in their possession. The persons listed under numbers 4 - 33 are designated for an act of mercy.

Should, however, outrages, particularly attacks on Germans, members of allied nations, or non-Germans working in the interest of reconstruction work in the GG, take place within the city of Warsaw or the district [Kreishauptmannschaft] Warsaw-Land within the next three months, provided the culprit is not seized immediately, sentences of the above, designated for an act of mercy, will be executed in such a manner that for each attack on such a person the designated act of mercy becomes invalid for at least ten of the persons sentenced.

If the crime is committed by Communist elements, Communists selected from the above listed persons will be excluded from the act of mercy; if the crime is committed by other misled elements, persons politically close to them will be selected from the above listed and excluded from the act of mercy.

Therefore, it is in the power of the non-German population to take care that the sentences of those designated for an act of mercy will not be executed by immediate arrest of or instigation of arrest of the culprits or by exercising influence on misled elements known to them or by report of suspicious persons.

Warsaw, 21 January 1944

The SS and Police Chief [SS und Polizeifuehrer]
District Warsaw.

[ITEM VII]

PROCLAMATION

Despite repeated warnings criminal elements of the English-Paid secret organization P. Z. P. have committed a dastardly treacherous attack on 1 February 1944 through which two Germans lost their lives. Therefore, from the group of people who have been sentenced to death for political crimes by the summary court of the Security Police and the SD and who had initially been considered for clemency, 100 members of the P. Z. P. have been executed in public in Warsaw on 2 February, 1944.

THE COMMANDER OF THE SECURITY POLICE AND
OF THE SD FOR THE DISTRICT OF WARSAW
Warsaw, 2 February 1944

[ITEM VIII]

ANNOUNCEMENT

During the past weeks frequent attacks have been made on Germans and on foreign nationals in German service by members of the so-called national resistance movement in the pay of England. Only in rare cases the Polish population actively participated in the seizure of these assassins. Through my proclamation of 10 February 1943 the entire population has been obliged to participate in the fight against criminal elements. The population has not fulfilled this obligation.

Therefore I hereby order:

1. According to the order of the Governor of the district of Warsaw payment of a fine of 100 million Zloty shall be imposed upon the Polish population residing in the city of Warsaw and vicinity. Payment of the fine shall be made by 1 March 1944 to the District Chief ["stadthauptmann"] in Warsaw. In the city of Warsaw the commissioned mayor, in the other communities the mayors are responsible for the collection of the fine. Exempted from payment of the fine are those persons who are directly in German employment or are working in the armament industry.

2. In the city of Warsaw all Polish performances in theatres, movie houses, variety theatres, and other places of entertainment are forbidden as of 2 February 1944 until further notice. All non-German restaurants in the city of Warsaw shall be closed until further notice.

3. For the city of Warsaw a curfew for the non-German population shall be instituted for the hours from 19 to 5 o'clock beginning 2 February 1944 until further notice. Night passes issued up to date remain valid.

4. Premeditated violation of this announcement will be punished according to the decree for the defense against attacks on German reconstruction work in the Government General of 2 October 1943.

Warsaw, 2 February 1944

The SS– and Police Chief [SS– und Polizeifuehrer] in the
District of Warsaw.

[ITEM IX]

PROCLAMATION

27 Polish murderers, members of the P.Z.P. and the P.P.R. have been sentenced to death by the summary court of the Security Police. The criminals have carried out malicious and treacherous attacks against Germans or persons in the German service or have been found to be in the possession of firearms or other murder tools. These criminals have been hanged today in public for their treachery and detestable attitude.

Warsaw, 11 February 1944

The Commander of the Security Police and of the SD
for the District Warsaw

[ITEM X]

PROCLAMATION

During the period from 29 January to 6 February 1944, 11 treacherous attacks against Germans and persons serving with the Germans were again perpetrated by cowardly Polish criminals in the city of Warsaw and in the District Captaincy [Kreishauptmannschaft] Warsaw - Land. Thereby 5 Germans were killed, 7 Germans injured or robbed and 2 Poles serving with the Germans were injured or robbed. Thereupon 140 Polish criminals among the persons sentenced by the court martial of the Security Police [Sicherheitspolizei] for whom an act of clemency was at first contemplated and who as members of the PZP and PPR organizations were in the pay of England and Moscow, were publicly executed on 10 February 1944.

The population of Warsaw - Land is hereby again requested to do everything in their power to prevent further attacks directed against Germans or against Poles serving with the Germans, and to cooperate in the capture of the perpetrators, so that further executions will not take place and that the persons sentenced to death may be proposed for clemency.

Warsaw, 11 February 1944

The Commander of the Security Police and of the SD
for the Warsaw - district.

[ITEM XI]

PROCLAMATION

During the time from 7 to 13 February 1944 six treacherous attacks on Germans and Poles employed by the German Government were again perpetrated in Warsaw by cowardly Polish criminals. There two Germans were killed, one German injured, two German employed Poles shot and two injured or robbed. As a consequence thereof, on 15 February 1944, sixty Polish criminals who as members of PZP and PPR were hirelings of England and Moscow, were selected from a number of persons under death sentence by the court martial of the security police but previously designated for an act of mercy, and publicly executed.

Furthermore, in accordance with Art. 1 and 2 of the decree concerning the checking of attacks on the German reconstruction work in the Government General of 2 February 1943 the following persons were sentenced to death by the Court martial of the security police for membership in illegal organizations and carrying of weapons:

[Here follow the 100 names of the condemned]

It is intended to pardon the condemned. The population of Warsaw and of the district Warsaw Land is therefore called upon to do everything to prevent further attacks on German or German employed Poles or to assist in the apprehension of the culprits so that no further executions will take place and the condemned persons may be proposed for a pardon.

Warsaw, 19 February 1944

The Commander of the Security Police and the Security Service
for the district of Warsaw.

[ITEM XII]

PROCLAMATION

On 16 February 1944 the rails were blown up by cowardly Polish criminals on the Section Kutno - Warsaw near the Blonie railway station, District Captaincy Sochaczew. The locomotive and 10 cars of a freight train were derailed thereby and the station was closed for several hours. Thereupon 30 Polish Criminals among the persons sentenced by the court martial of the Security Police [Sicherheitspolizei] for whom an act of clemency was at first contemplated and who as members of the PZP and PPR organizations were in the pay of England and Moscow, were publicly executed on 22 February 1944.

The population of the District-Captaincy Sochaczew-Blonie is again requested to do everything in their power in order to prevent further attacks and acts of sabotage and to cooperate in the capture of the perpetrators, so that further executions will not take place and that the persons sentenced to death may be proposed for clemency.

Warsaw 26 February 1944.

The commander of the Security Police and of the SD
for the Warsaw - District.

[ITEM XIII]

PROCLAMATION

During the period of January 13th to January 21st 1944 in the city of Warsaw seven malicious attacks on Germans and on Poles in their service have been perpetrated by cowardly Polish criminals. One German was injured, three Poles in German employ were shot, and one Polish police-agent was seriously wounded. Therefore, on February 22nd 1944, ninety Polish criminals from among the persons sentenced to death by the court-martial of the Security Police and considered originally for reprieve, who were members of the PZP and the PPR and paid by England and Moscow, were publicly executed.

Furthermore have been sentenced to death by the court-martial of the Security Police, for adherence to forbidden organizations and for other political aims according to paragraph 1 and 2 of the Ordinance of October 2nd 1943, concerning the suppression of attacks against the German construction work in the General Government:

[Follow the names of the 50 condemned persons]

The condemned persons have been considered for a reprieve. The population of Warsaw and of the prefectorial district of Warsaw - Land is therefore exhorted to do everything in order to prevent further attacks on Germans or Poles in their employ, or to collaborate in the arrest of the criminals in order that further executions may be avoided and the persons sentenced to death be nominated for reprieve.

Warsaw, 26 February 1944.

The Commander of the Security Police and of the
Security Service for the District of Warsaw

[ITEM XIV]

PROCLAMATION

On 21 and 22 February 1944, in the city of Warsaw three treacherous attacks against Germans and Poles in German service have again been perpetrated by cowardly Polish criminals.

In these attacks four Germans were seriously injured, one Pole in German service was shot and two more Poles in German service were seriously injured. In addition a Polish woman who had absolutely nothing to do with the affair was so seriously injured by a bomb thrown by the Polish criminals that her death must be expected, and moreover an eleven year old Polish girl was killed. Consequently, 80 Polish criminals from among those persons who as members of the PZP and of the PPR were in the pay of England and Moscow and were sentenced to death by the court-martial of the security police, and who at first were considered for clemency, were publicly executed on 28 February 1944.

The population of Warsaw as well as of the district captaincy [Kreishauptmannschaft] of Warsaw county is again requested to do everything to prevent further attacks against Germans, or Poles in German service, or to cooperate in the capture of the perpetrators so that further executions may be prevented and that persons subsequently sentenced to death may be proposed for clemency.

Warsaw 28 February 1944

The Commander of the Security Police and of
the SD For the Warsaw District.

[ITEM XV]

PROCLAMATION

On 23 February 1944 an express-train was derailed and fired upon by Polish bandits in the neighborhood of the Skruda railway station, District Captaincy Warsaw-Land. Thereby 12 passengers were injured. During further treacherous attacks perpetrated by cowardly Polish criminals on 24, 25 and 29 February 1944 in the city of Warsaw, two Poles serving with the Germans were shot and robbed and another Pole serving with the Germans was severely injured through shots in the head. Thereupon 80

Polish criminals among the persons sentenced by the court martial of the Security Police [Sicherheitspolizei] for whom clemency had at first been contemplated and who as members of the PZP and PPR organizations were in the pay of England and Moscow, were publicly executed on 4 March 1944.

The population of Warsaw as well as the District Captaincy Warsaw-Land is again requested to do everything in their power to prevent further attacks against Germans or against Poles serving with the Germans, and to cooperate in the capture of the perpetrators, so that further executions will not take place and that the persons sentenced to death may be proposed for clemency.

Warsaw 4 March 1944.

The commander of the Security Police and of the
SD for the Warsaw District.

[ITEM XVI]

PROCLAMATION

Despite repeated warnings twelve more treacherous attacks have been made against Germans and persons in the German service in Warsaw during the period from 1 to 11 March 1944. Thereby, 4 Germans were killed, 9 Germans severely injured and partly robbed and two Poles in the German service were severely injured and robbed. In all these cases, the crimes were carried out in a treacherous and malicious manner. Subsequently, from the group of persons who had been sentenced to death by the summary court of the Security Police [SIPO] on 21 March 1944 and who initially had been considered for clemency, 140 Polish Criminals who as members of the PZP and the PPR were British and Moscovite mercenaries, were executed in public.

The population of Warsaw and of the district captaincy [Kreishauptmannschaft] Warsaw County are again requested to do everything possible to prevent further attacks on Germans or German-employed persons or to cooperate in the apprehension of the culprits in order to avoid further executions and to make further recommendations for clemency for persons condemned to death possible.

Warsaw, 21 March 1944

The Commander of the Security Police and of the
SD for the District of Warsaw

[ITEM XVII]

PROCLAMATION

In spite of my repeated warnings, cowardly attacks were again carried out last week against Germans and persons in German service. On 1.11.1943 a Polish official of the criminal police, on 3.11.1943 in the Radomska Strasse a German soldier, and on the same day in the Gniewkowka Strasse a German soldier were seriously wounded, and on 5.11.43 in the Krzyzanowski Strasse a German railway official was killed. Therefore I have had the following 40 criminals, who have been sentenced by the Summary Court martial of the Security Police, and who at first had been under consideration for a pardon, publicly shot on November 11th 1943.

[Here follow the names of the 40 persons shot]

Furthermore, the following were sentenced to death on November 11th 1943 by the Summary Court of the Security Police for illegal possession of weapons and for belonging to forbidden organizations, in accordance with articles 1 and 2 of the decree of October 10th 1943 concerning the combatting of offenses against the German reconstruction work in the General Government:

[Here follow the names of the 50 condemned persons].

The condemned persons listed under number 1 to 50 are under consideration for clemency.

However, if within the next three months violations should occur in the area of Warsaw city or of the district captaincy [Kreishauptmannschaft] of Warsaw country, particularly attacks on Germans, on members of states allied with the Greater German Reich or non-Germans working in the interest of the reconstruction task in the General Government, and if the culprits are not apprehended at once, sentence will also be executed on those persons who are considered for clemency, and this in such a manner that for each attack on such a person the pardon intended for at least 10 of the condemned persons will be revoked.

In case the act is committed by Communist elements, Communists from among the group of persons mentioned above will not be given clemency; if the act was committed by other misled elements, those among the persons mentioned above who were close to them politically, will not be given clemency.

It is therefore up to the non-German population to see, that the sentence against the condemned persons under consideration for clemency, will not be executed, by immediately apprehending or

causing the arrest of the culprits, or by influencing misled elements known to them, or by reporting suspicious persons.
Warsaw, 10 November 1943
The SS and Police Commander in the District of Warsaw.

[ITEM XVIII]

PROCLAMATION

In Warsaw on 10 November 1943, in spite of my repeated warnings, cowardly attacks were again committed against Germans and persons in German employment. Thus 1 German soldier was seriously wounded in the Obozowa Strasse and 1 German soldier in the Nowy Swiat Strasse. In the Lochowka Strasse 1 soldier of the factory guard was wounded, in the Sw.Wincenty Strasse 1 official of the Polish police was shot and in the Redutowa and Kepua Strasse 2 officials of the Polish police were seriously wounded.

Therefore, the following 60 criminals who were sentenced by the summary court of the Security Police and who had at first been considered for a pardon, I had publicly executed on 12 November 1943.

[Here follow the names of the 60 persons shot]

Furthermore, in accordance with articles 1 and 2 of the decree of 2 October 1943 concerning the combatting of offenses against the German work of reconstruction in the General Government, the persons named below were condemned to death on 12 November 1943 for the possession of arms and membership in forbidden organizations.

[Here follow the names of the 40 condemned persons]

The persons listed from 1 to 40 are under consideration for clemency.

However, if within the next three months violations should occur in the area of Warsaw city or of the district captaincy [Kreishauptmannschaft] of Warsaw county, particularly attacks on Germans, on members of states allied with the Greater German Reich or non-Germans working in the interest of the reconstruction task in the General Government, and if the culprits are not apprehended at once, sentence will also be executed on those persons who are considered for clemency, and this in such a manner that for each attack on such a person the pardon intended for at least 10 of the condemned persons will be revoked.

In case the act is committed by Communist elements, Communists from among the group of persons mentioned above will not be given clemency; if the act was committed by other misled elements, those among the persons mentioned above who were close to them politically, will not be given clemency.

It is therefore up to the non-German population to see that the sentence against the condemned persons under consideration for clemency; will not be executed by means of immediately apprehending or causing the arrest of the culprits, or by means of influencing misled elements known to them, or by reporting suspicious persons.

Warsaw, 13 November 1943

The SS and Police Commander in the District of Warsaw.

[ITEM XIX]

PROCLAMATION

On 13 November 1943 two German soldiers were seriously wounded by several shots and robbed at the West-Warsaw railroad station. Furthermore, on 15 November 1943 a German soldier was attacked and wounded in a treacherous way in Bialolecka Street and the same happened to a SS-soldier in Rozana Street.

On 17 November 1943, therefore, I had shot in public the following persons who had been sentenced by the summary court, but were taken into consideration for clemency.

[Here follow the names of the 40 persons shot]

According to articles 1 and 2 of the decree concerning the combatting of offenses against the German reconstruction work in the General Government, dated 2 October 1943, the following persons also were sentenced to death on 16 November 1943 by the summary court of the Security Police because of possession of arms and membership in illegal organizations:

[Here follow the names of the 33 condemned persons]

Of these the persons mentioned under numbers 1 to 3 have already been executed, because they were in the possession of arms and belonged to the terrorist organizations. The persons under figure 4 to 33 are taken into consideration for clemency.

However, if within the next three months violations should occur in the area of Warsaw city or of district captaincy [Kreishauptmannschaft] Warsaw county, particularly attacks on Germans, on members of states allied with the Greater German Reich or non-Germans working in the interest of the reconstruction task in the General Government, and if the culprits are not apprehended at once, sentence will also be executed on those persons who are considered for clemency, and this in such a manner that for each attack on such a person the pardon intended for at least 10 of the condemned persons will be revoked.

In case the act is committed by Communist elements, Communists from among the group of persons mentioned above will not be given clemency; if the act was committed by other misled elements, those among the persons mentioned above who were close to them politically will not be given clemency.

It is therefore up to the non-German population to see that the sentence against the condemned persons under consideration for clemency will not be executed by immediately apprehending or causing the arrest of the culprits, or by influencing misled elements known to them, or by reporting suspicious persons.

Warsaw, 18 November 1943

The SS and Police Commander in the District of Warsaw.

[ITEM XX]

PROCLAMATION

In spite of public warnings and execution threats of those people, who had been considered for clemency by the Summary Court of the Security police, further acts of violence were committed against Germans and persons in the German service.

1. On 14 November 1943 an attack on a Polish police patrol in Volka, Lublin district,
2. On 21 November 1943 demolition of a railroad bridge west of Chotylow, 15 km east of Biala Podlaska,
3. On 21 November 1943 an attack on the railroad tracks between Zavlikov and Lipa, 25 km south of Krasnik.

Therefore 24 of those who had been mentioned in my proclamation of 11 November 1943, who had been considered for clemency, were shot at Lublin on 23 November 1943. Through the investigation in reference to this it was proven that these attacks were carried out by Communist elements.

Therefore, according to articles 1 and 2 of the decree concerning the combatting of offenses against the German reconstruction work in the General Government dated 2 Oct 43 ("Verordnungsblatt" for the General Government No. 8243) the following persons were sentenced to death on 22 November 1943 by the Summary Court of the Security police and the SD in the district of Lublin.

[Here follow the names of the 100 condemned persons.]

The sentences concerning those persons mentioned under numbers 1 to 32 have already been executed. The condemned persons under numbers 33 to 100 are being considered for clemency.

However, if within the next three months violations should occur in the area of Warsaw city of the district Captaincy [Kreishauptmannschaft] Warsaw county, particularly attacks on Germans, on members of states allied with the Greater German Reich or non-Germans working in the interest of the reconstruction task in the General Government, and if the culprits are not apprehended at once, sentence will also be executed on those persons who are considered for clemency, and this in such a manner that for each attack on such a person the pardon intended for at least 10 of the condemned persons will be revoked.

In case the act is committed by Communist elements, Communists from among the group of persons above will not be given clemency; if the act was committed by other misled elements; those among the persons mentioned above who were close to them politically will not be given clemency.

It is therefore up to the non-German population to see that the sentence against the condemned persons under consideration for clemency, will not be executed by immediately apprehending or causing the arrest of the culprits, or by influencing misled elements known to them, or by reporting suspicious persons.

Lublin, 23 November 1943

The Commander of the Security Police and the SD
[Security Service] for the District of Lublin.

[ITEM XXI]

PROCLAMATION

Recently, in spite of my repeated warnings, on 19 November 1943 in two instances, acts of violence were committed against Germans and persons in the German service. Thus, in an express train near the Warsaw-East station, several German soldiers were seriously wounded and in Nakielska street one soldier of the factory guard was injured by pistol shots.

The following criminals, who had been sentenced by the summary court of the Security Police and who, for the time being, had been considered for clemency, therefore were ordered shot by me on 24 November 1943:

[Here follow the 20 names of the persons shot]

According to articles 1 and 2 of the decree concerning the combatting of offenses against German reconstruction work in the General Government, dated 2 October 1943, the following persons were further condemned to death on 23 November 1943 for being in possession of weapons and for membership in forbidden organizations:

[Here follow the 30 names of the condemned persons.]

Of these, the ones mentioned under numbers 1 to 7 have already been executed, since they were in possession of weapons and belonged to terror organizations. Those under numbers 8 to 30 are being considered for clemency.

However, if within the next three months violations should occur in the area of Warsaw city or of the district captaincy [Kreishauptmannschaft] Warsaw county, particularly attacks on Germans, on members of states allied with the Greater German Reich or non-Germans working in the interest of the reconstruction task in the General Government, and if the culprits are not apprehended at once, sentence will also be executed on those persons who are considered for clemency, and this in such a manner that for each attack on such a person the pardon intended for at least 10 of the condemned persons will be revoked.

In case the act is committed by Communist elements, Communists from among the group of persons mentioned above will not be given clemency; if the act was committed by other misled elements, those among the persons mentioned above who were close to them politically will not be given clemency.

It is therefore up to the non-German population to see that the sentence against the condemned persons under consideration for clemency will not be executed by immediately apprehending or causing the arrest of the culprits, or by influencing misled elements known to them, or by reporting suspicious persons.

Warsaw, 25 November 1943

The SS and Police Commander in the District of Warsaw

[ITEM XXII]

PROCLAMATION

Despite repeated warnings, a Polish police official was treacherously shot on 25 November 1943 by Polish criminals in a cafe; on 26 November 1943, 4 German police officials were seriously wounded in Solna street; and on 26 November 1943, one German SA man was rudely hit in the chest while in the street-car. Because of the foregoing, I have ordered that the following 30 criminals who had been sentenced by the summary court of the Security Police, and who at first had been considered for clemency, be shot in public on 30 November 1943.

[Here follow the names of the 30 persons shot.]

Furthermore, the following were sentenced to death by the summary court of the Security Police on 29 Nov 43 pursuant to articles 1 and 2 of the decree concerning the combatting of offenses against the German reconstruction work in the General Government, dated 2 October 1943, for the possession of arms and membership in forbidden organizations.

[Here follow the names of the 50 condemned persons.]

Of these, those mentioned under number 1 to 4 have already been executed, because they were found to be in the possession of arms and belonged to terrorist organizations. Those under numbers 5 to 50 are under consideration for clemency.

However, if within the next three months violations should occur in the area of Warsaw city or of the district captaincy [Kreishauptmannschaft] Warsaw county, particularly attacks on Germans, on members of states allied with the Greater German Reich or non-Germans working in the interest of the reconstruction task in the General Government, and if the culprits are not apprehended at once, sentence will also be executed on those persons who are considered for clemency, and this in such a manner that for each attack on such a person the pardon intended for at least 10 of the condemned persons will be revoked.

In case the act is committed by Communist elements, Communists from among the group of persons mentioned above will not be given clemency; if the act was committed by other misled elements, those among persons mentioned above who were close to them politically will not be given clemency.

It is therefore up to the non-German population to see that the sentence against the condemned persons under consideration for clemency will not be executed by immediately apprehending or causing the arrest of the culprits or by influencing misled elements known to them, or by reporting suspicious persons.

Warsaw, 30 November 1943

The SS and Police Commander in the District of Warsaw.

[ITEM XXIII]

PROCLAMATION

On November 26th, 1943 on the street Nowy Swiat in Warsaw once again a motor column of the regular police [Ordnungspolizei] was treacherously attacked. Two members of the ordinary police, a German SA soldier and 1 person in the German service were seriously injured from shots and bombs thrown by the bandits.

Therefore I ordered on 2 December 1943 that the following 30 criminals who were sentenced by the Summary Court of the Security Police, and were at first considered for clemency, be shot in public.

[Here follow the 30 names of the persons shot.]

Furthermore the following were sentenced to death by the Summary Court of the Security Police on November 30th 1943 pursuant to articles 1 and 2 of the decree concerning the combatting of offenses against the German reconstruction work in the General Government, dated 2 October 1943 for the possession of arms and membership in forbidden organizations.

[Here follow the 34 names of the condemned persons.]

Of these, those mentioned under numbers 1 to 4 have already been executed, as they were members of a terrorist organization. Those mentioned in 5 to 34 are under consideration for clemency.

However, if within the next three months violations should occur in the area of Warsaw city or of the district captaincy [Kreishauptmannschaft] Warsaw county, particularly attacks on Germans, on members of states allied with the Greater German Reich or non-Germans working in the interest of the reconstruction task in the General Government, and if the culprits are not apprehended at once, sentence will also be executed on those persons who are considered for clemency, and this in such a manner that for each attack on such a person the pardon intended for at least 10 of the condemned persons will be revoked.

In case the act is committed by Communist elements, Communists from among the group of persons mentioned above will not be given clemency; if the act was committed by other misled elements, those among the persons mentioned above who were close to them politically, will not be given clemency.

It is therefore up to the non-German population to see that the sentence against the condemned persons under consideration for clemency will not be executed by immediately apprehending or causing the arrest of the culprits, or by influencing misled elements known to them, or by reporting suspicious persons.

Warsaw, 2 December 1943

The SS and Police Commander in the District of Warsaw.

[ITEM XXIV]

PROCLAMATION

On 26 November 1943, a racial German was attacked and robbed by three armed bandits in Pruszkow. On 27 November 1943, a racial German couple was attacked and seriously mistreated by 6 armed bandits.

I therefore have ordered that the following 20 criminals, sentenced by the summary court of the Security Police, but who had been considered for clemency, be shot in public.

[Here follow the names of the 20 persons shot.]

The summary court of the Security Police also sentenced to death on 7 and 8 December 1943 the following persons pursuant to articles 1 and 2 of the decree concerning the combatting of offenses against the German reconstruction work in the General Government, dated 2 October 1943, for the possession of arms and membership in forbidden organizations.

[Here follow the names of the 107 condemned persons.]

Of these, those listed under numbers 1 to 7 have already been executed; those listed under numbers 8 to 107 are being considered for clemency.

However, if within the next three months violations should occur in the area of Warsaw city or of the district captaincy [Kreishauptmannschaft] Warsaw county, particularly attacks on Germans, on members of states allied with the Greater German Reich or non-Germans working in the interest of the reconstruction task in the General Government, and if the culprits are not apprehended at once, sentence will also be executed on those persons who are considered for clemency, and this in such a manner that for each attack on such a person the pardon intended for at least 10 of the condemned persons will be revoked.

In case the act is committed by Communist elements, Communists from among the group of persons mentioned above will not be given clemency; if the act was committed by other misled elements, those among persons mentioned above who were close to them politically will not be given clemency.

It is therefore up to the non-German population to see that the sentence against the condemned persons under consideration for clemency will not be executed by immediately apprehending or causing the arrest of the culprits, or by influencing misled elements known to them, or by reporting suspicious persons.

Warsaw, 10 December 1943

The SS and Police Commander in the District of Warsaw.

[ITEM XXV]

PROCLAMATION

During recent days despite my repeated warnings, Germans and persons in German service were again attacked maliciously. On 10 December 1943 in the Lesznostrasse, a passenger car was shot at with machine guns, whereby 2 Germans were seriously wounded and a Polish chauffeur was killed. On 11 December 1943, Polish bandits attacked a German soldier in the Lindley Strasse, robbed and murdered him. On 12 December 1943 near the town Stara Wies, a demolition attack was carried out against an express train, whereby 12 Germans, among them 1 woman, were killed, and several suffered serious, some of them minor injuries. In this case investigation established beyond doubt that this cowardly act was committed by members of a clandestine organization which is employed by England, the so-called National Organization. Following the attack these members who came from Warsaw returned to that city. Besides that in the Danitowiczowska Strasse on 13 December 1943, an attack was made whereby 2 Germans, 1 Polish policeman in German service, and 1 Polish woman, who had no part at all in the incident, were killed.

On 11 December 1943 and 14 December 1943 as reprisal for this, I had those persons shot who were sentenced by the summary court of the Security Police and who at first had been considered for clemency.

[Here follow the 270 names of the persons shot.]

Warsaw, 15 December 1943

The SS and Police Commander in the District of Warsaw.

[ITEM XXVI]

PUBLIC ANNOUNCEMENT

A noncommissioned officer of the Polish police was attacked and seriously wounded in the chest on 14 December 1943 in Wolska street by 3 armed bandits. On 19 December 1943, a German soldier was attacked and seriously wounded in Wolska street by bandits. I therefore ordered on 18 December 1943 that the following 20 criminals who had been sentenced by the summary court of the Security Police, and who at first had been considered for clemency, be shot in public.

[Here follow the names of the 20 persons shot.]

Furthermore, the following were sentenced to death on 17 December 1943 by the summary court of the Security Police pursuant to articles 1 and 2 of the decree concerning the combatting of offenses against the German reconstruction work in the General Government dated 2 Oct. 1943 for the possession of weapons and membership in forbidden organizations:

[Here follow the 23 names of condemned persons.]

Of these, those mentioned under numbers 1 to 3 were executed already because they were in the possession of weapons and belonged to terrorist organizations. Those mentioned under numbers 4 to 23 are being considered for clemency.

However, if within the next three months violations should occur in the area of Warsaw city or of the district captaincy [Kreishauptmannschaft] Warsaw county, particularly attacks on Germans, on members of states allied with the Greater Reich or non-Germans working in the interest of the reconstruction task in the General Government, and if the culprits are not apprehended at once, sentence will also be executed on those persons who are considered for clemency, and this in such a manner that for each attack on such a person the pardon intended for at least 10 of the condemned persons will be revoked. In case the act is committed by Communist elements, Communists from among the group of persons mentioned above will not be given clemency, if the act was committed by other misled elements, those among the persons mentioned above who were close to them politically, will not be given clemency.

It is therefore up to the non-German population to see that the sentence against the condemned persons under consideration for clemency will not be executed by immediately apprehending or causing the arrest of the culprits, or by influencing misled elements known to them, or by reporting suspicious persons.

Warsaw, 20 December 1943

The SS and Police Commander in the District of Warsaw.

[ITEM XXVII]

PROCLAMATION

On 18 December 1943, a corporal of the Polish police was attacked treacherously while on duty by three criminals with pistols in the Zawisza Strasse in Warsaw. On 20 December 1943, a patrol of the regular police was shot at by four armed bandits on the Gorcewska Strasse. An official of the regular police was shot, and one seriously wounded. On 21 December 1943, a racial German [Volksdeutscher] was attacked in the Dluga Strasse by several criminals and was wounded fatally. I therefore have had the following 40 criminals who had been sentenced by the summary court of the Security Police, and who had at first been considered for clemency, shot in public on 23 December 1943:

[Here follow the 40 names of the persons shot.]

Furthermore, the following were sentenced to death on 23 December 1943 by the summary court of the Security Police pursuant to articles 1 and 2 of the decree concerning the combatting of offenses against the German reconstruction work in the General Government, dated 2 October 1943, for the possession of weapons and explosives and the membership in forbidden organizations:

[Here follow the 63 names of the condemned persons.]

Of these, those mentioned under numbers 1 to 3 have already been executed because they were found to be in the possession of weapons and belonged to terrorist organizations. Those under numbers 4 to 63 have been considered for clemency.

However, if within the next three months violations should occur in the area of Warsaw city or of the district captaincy [Kreishauptmannschaft] Warsaw county, particularly attacks on Germans, on members of states allied with the Greater German Reich or non-Germans working in the interest of the reconstruction task in the General Government, and if the culprits are not apprehended at once, sentence will also be executed on those persons who are considered for clemency, and this in such a manner that for each attack on such a person the pardon intended for at least 10 of the condemned persons will be revoked.

In case the act is committed by Communist elements, Communists from among the group of persons mentioned above will not be given clemency; if the act was committed by other misled elements, those among the persons mentioned above who were close to them politically will not be given clemency.

It is therefore up to the non-German population to see that the sentence against the condemned persons under consideration for clemency, will not be executed by immediately apprehending or causing the arrest of the culprits, or by influencing misled elements known to them, or by reporting suspicious persons.

Warsaw, 27 December 1943
The SS and Police Commander in the District of Warsaw.

[ITEM XVIII]

PROCLAMATION

On 27 and 28 December 1943, in another four incidents, again Germans and Poles in the German service were attacked treacherously and some of them were robbed. In the course of this, a German soldier was killed, another one was wounded. At the same time, a Polish policeman was killed, another one wounded.

I therefore have had the following 40 criminals who have been convicted by the summary court of the Security Police and who had first been considered for clemency shot in public on 31 December 1943:

[Here follow the 40 names of the persons shot.]

Furthermore, the following were sentenced to death on 31 December 1943 by the summary court of the Security Police pursuant to articles 1 and 2 of the decree concerning the combatting of demonstrations against the German reconstruction task in the General Government, dated 2 October 1943, for the possession of weapons and membership in forbidden organizations:

[Here follow the 23 names of the condemned persons.]

Of these, those mentioned under numbers 1 to 3 have already been executed because they were found to be in the possession of weapons and belonged to terrorist organizations. Those under number 4 to 23 have been considered for clemency.

However, if within the next three months violations should occur in the area of Warsaw city or of the district captaincy [Kreishauptmannschaft] Warsaw county, particularly attacks on Germans, on members of states allied with the Greater German Reich or non-Germans working in the interest of the reconstruction task in the General Government, and if the culprits are not apprehended at once, sentence will also be executed on those persons who are considered for clemency, and this in such a manner that for each attack on such a person the pardon intended for at least 10 of the condemned persons will be revoked.

In case the act is committed by Communist elements, Communists from among the group of persons mentioned above will not be given clemency; if the act was committed by other misled elements, those among persons mentioned above who were close to them politically will not be given clemency.

It is therefore up to the non-German population to see that the sentence against the condemned persons under consideration for clemency will not be executed by immediately apprehending or causing the arrest of the culprits, or by influencing misled elements known to them, or by reporting suspicious persons.

Warsaw, 3 January 1944

The SS and Police Commander in the District of Warsaw.

[ITEM XXIX]

PROCLAMATION

In the period from 31 December 1943 to 9 January 1944, another 10 treacherous attacks against Germans and Poles in German service have been carried out, despite my repeated warnings. Especially in two cases on 31 December 1943, 2 members of the German Wehrmacht and 1 SS-man were shot at from the rear and some of them were wounded seriously. On 3 January 1944 in three different attacks, 1 member of the German Wehrmacht was wounded, 1 SS-man killed, and one Polish policeman was wounded and robbed. On 5 January 1944, a Polish employee of the criminal police was shot and robbed. On 7 January 1944, a citizen of the Reich was attacked and robbed. On 9 January 1944 1 postal employee, a citizen of the Reich, was shot and robbed, in two different attacks.

Another planned and prepared attack of a specially low and treacherous kind was intended on 8 January 1944 before the gates of Warsaw. As could be established up to now, members of the P. Z. P. tried to block a road at the city limits with cables, shot at approaching vehicles and cars with machine guns and at the same time threw hand grenades at them. Four Germans were wounded by the especially cowardly attack.

As a result, I have had the following 200 persons, members of the P. Z. P. and P. P. R., shot in public on 13 January 1944, from the persons who were sentenced to death by the summary court of the Security Police, but were at first taken into consideration for clemency.

[Here follow the 200 names of the persons shot.]

Pursuant to articles 1 and 2 of the decree concerning the combatting of offenses against the German reconstruction work in the General Government, dated 2 October 1943, the following persons were also sentenced to death by the summary court of the Security Police for their membership in forbidden organizations.

[Here follow the 20 names of the condemned persons.]

The persons sentenced to death under numbers 1 to 20 are considered for clemency.

However, if within the next three months violations should occur in the area of Warsaw city or of the district captaincy [Kreishauptmannschaft] Warsaw county, particularly attacks on Germans, on members of states allied with the Greater German Reich or non-Germans working in the interest of the reconstruction task in the General Government, and if the culprits are not apprehended at once, sentence will also be executed on those persons who are considered for clemency, and this in such a manner that for each attack on such a person the pardon intended for at least 10 of the condemned persons will be revoked.

In case the act is committed by Communist elements, Communists from among the group of persons mentioned above will not be given clemency; if the act was committed by other misled elements, those among persons mentioned above who were close to them politically will not be given clemency.

It is therefore up to the non-German population to see that the sentence against the condemned persons under consideration for clemency, will not be executed by immediately apprehending or causing the arrest of the culprits, or by influencing misled elements known to them, or by reporting suspicious persons.

Warsaw, 14 January 1944.

The SS and Police Commander in the District of Warsaw.

[ITEM XXX]

PROCLAMATION

On 18 January 1944, a sergeant of the Polish police was attacked and fatally wounded by bandits on the way to his office. On 20 January 1944, in an office on the Podvale Strasse in Warsaw, two Germans were attacked by bandits, one of them being wounded by revolver shots, the second one shot to death. On 22 January 1944, in the Wolska Strasse in Warsaw, two members of the SS were attacked by bandits, whereby one was wounded,. the other one killed.

Therefore I had the following 50 criminals who had been sentenced by the summary court of the Security Police and who at first had been under consideration for clemency, publicly shot on 24 January 1944:

[Here follow the names of the 50 persons shot.]

Furthermore, the following were sentenced to death by the summary court of the Security Police for membership in forbidden organizations, pursuant to articles 1 and 2 of the decree concerning the combatting of offenses against the German reconstruction work in the General Government, dated 2 October 1943:

[Here follow the names of the 60 condemned persons.]

These condemned persons are under consideration for clemency.

However, if within the next three months violations should occur in the area of Warsaw city or of the district captaincy [Kreishauptmannschaft] Warsaw county, particularly attacks on Germans, on members of states allied with the Greater German Reich or non-Germans, working in the interest of the reconstruction task in the General Government, and if the culprits are not apprehended at once, sentence will also be executed on those persons who are considered for clemency, and this in such a manner that for each attack on such a person the pardon intended for at least 10 of the condemned persons will be revoked.

In case the act is committed by Communist elements, Communists from among the group of persons mentioned above will not be given clemency; if the act was committed by other misled elements, those among persons mentioned above who were close to them politically will not be given clemency.

It is therefore up to the non-German population to see that the sentence against the condemned persons under consideration for clemency will not be executed by immediately apprehending or causing the arrest of the culprits, or by influencing misled elements known to them, or by reporting suspicious persons.

Warsaw, 26 January 1944

The SS and Police Commander in the District of Warsaw.

[ITEM XXXI]

PROCLAMATION

On 17 January 1944, a German was shot dead and robbed by 8 bandits at Skolimow, district of Warsaw county. On 24 January 1944, two Germans were shot dead treacherously and one Pole wounded having been shot in the head at Aleje, Jerozolimskie Street. The culprits also threw a hand grenade.

On 25 January 1944 in Alejae-go Mja Street, a German was deadly wounded and robbed by several bandits in his own apartment. Therefore I ordered that the following 100 criminals who were sentenced by the Summary Court of the Security Police and were at first considered for clemency be shot publicly on 28 January 1944.

[Here follow the 100 names of the persons shot.]

Furthermore the following were sentenced to death by the Summary Court of the Security Police pursuant to articles 1 and 2 of the decree concerning the combatting of offenses against the German reconstruction work in the General Government dated 2 October 1943, for membership in forbidden organizations and possession of arms.

[Here follow the 32 names of the condemned persons.]

From these, those mentioned under numbers 1 and 2 have already been executed, since they were found to be in the possession of arms. Those mentioned under numbers 3 to 32 are considered for clemency.

However, if within the next three months violations should occur in the area of Warsaw city or of the district captaincy [Kreishauptmannschaft] Warsaw county, particularly attacks on Germans, on members of states allied with the Greater German Reich or non-Germans working in the interest of the reconstruction task in the General Government, and if the culprits are not apprehended at once, sentence will also be executed on those persons who are considered for clemency, and this in such a manner that for each attack on such a person the pardon intended for at least 10 of the condemned persons will be revoked.

In case the act is committed by Communist elements, Communists from among the group of persons mentioned above will not be given clemency; if the act was committed by other misled elements, those among the persons mentioned above who were close to them politically will not be given clemency.

It is therefore up to the non-German population that the sentence against the condemned persons under consideration for clemency will not be executed by immediately apprehending or causing the arrest of the culprits, or by influencing misled elements known to them, or by reporting suspicious persons.

Warsaw, 29 January 1944.

The SS and Police Commander in the District of Warsaw.

STATEMENT

This is to certify that the book entitled "The German Crime in Warsaw in 1944", constituting the second volume of the publication "DOCUMENTA OCCUPATIONIS TEUTONICAE", contains the depositions of the inhabitants of Warsaw and photographs taken by the German Diplom Architect Alfred Mensebach in Warsaw. These confirm the murder of defenseless civilians including women and children, the raping of women also minors, the looting and the destruction of the city by fire and explosions. All these crimes were committed by the SS-units and by the so-called Wlassow-units under the command of the SS-officers. This book is an official document of the Polish Government submitted to the International Military Tribunal under the provisions set forth in Article 21 of the Charter.

Hereby are also included the official translations of the three records of the witness depositions contained in this book (No. 53 page 35, No. 92 page 164, No. 247 page 169).

Nurnberg, the 10th of June, 1946

Dr. Stanislav Piotrowski

Member of the Central Commission for Investigation of German War Crimes in Poland, member of the Polish Delegation at the International Military Tribunal at Nurnberg

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RECORD No. 53

Deposition, by witness Alexandra KRECZKIEWICZ, resident at No. 45, Gorszewska street, in Warsaw, taken by Irene Travinska, on 8 September 1944 in the Podkova-Lesna Hospital.

I was resident in Wola, Gorszewska street No. 45; on 2 August, the SS-men issued an order for us to move to the house across the road; our house, as well as the house next door, was set on fire; on 3 August we were informed that we shall be shot; several hundred persons were assembled in the house; on 4 August at 11 a.m. the Germans surrounded the house and gave the order to evacuate the apartments; there were awful cries of children and women and we heard some shots—several persons were killed and wounded at the exit; we were driven to potato fields and still guarded we were ordered to lie down so there could be no question of escape; a few minutes later we were ordered to get up and we were driven under a bridge which was near-by; there was no doubt about our fate; at the question of one of the women "where are we being taken to?" we heard the answer "German women and children are perishing by your fault, therefore, all of you must perish". We were put in ranks and a group of seventy people was separated from us and ordered to go behind the bridge on the hill; the rest (including myself) were put against the wall between barbed wires; from different points near-by, we heard shots; the victims of German henchmen were dying; we were huddled together, and I was on the outer edge of the crowd; at a distance of 5 metres in front of us, one of the henchmen, very quietly loaded his machine gun; another one was preparing his camera; they wanted to prolong the execution. Several Germans were guarding us; we heard several shots, noises, groans—I fell down wounded and lost consciousness.

After a while I came back to my senses and I heard how they were finishing up the wounded; I did not move and I simulated death; they left one of the Germans on guard and the rest of them went away. The henchmen set fire to the huts and the houses in the neighborhood. I was scorched by the heat and almost suffocated by the smoke and my dress smouldered; the German was still on guard so I tried quietly to put out the fire on me, my feet were burning, and I was thinking only of how to get away from this hell. From the front I was protected by the basket of potatoes; when the German turned his head, I pushed the basket and I crawled behind it and in this way I went on for a few metres; then, the wind blew a cloud of smoke in our direction and the guard could not see me any more; quickly I got up and ran to the cellar of a house on fire; there I met some people slightly wounded; the lucky ones who managed to escape from the pile of corpses. We started to work on a small tunnel; it was a difficult job, in the heat and the smoke—we were risking suffocation; at last, after many hours of superhuman efforts, the small tunnel led us out into the yard of the neighboring house, untouched by the fire. It was half past 12 p.m. Somebody let us out to the fields from this place of struggle and fire; I was completely exhausted and till the present moment, I am lying in the hospital; the group of people shot in my presence numbered some 500 persons—of whom no more than three or four managed to escape. All the executioners were SS-men.

RECORD No. 92

Deposition of the witness Bronislav Dylak, 32, Warsaw Przebieg Street 1, taken by Apolonia Czelna and Irena Travinska on 16 September 1944 at the Hospital of Milanovek.

Very badly wounded in the stomach I was hospitalized in the Field Hospital Dluga Street 7.

On the 7th September 1944 the Germans ordered the nurses and those of the inmates who were able to walk to abandon the hospital and the heavy wounded. I was in this latter group and we stayed in the ward situated in the cellar. In the whole hospital there were a few hundred sick and heavily wounded who could not abandon the hospital. Shortly after the nurses had left the hospital in the evening the German SS arrived; shooting started; first those were killed who with a superhuman effort left their beds and went to the doors and the staircases waiting for the possibility to get out and save themselves. They were immediately killed by the Germans. Two murderers burst into our ward. One had a candle in his hand (it was already dark). The other was killing, shooting from his pistol the men lying in beds and shouting "bandits". Together with a few of the inmates of our ward, I was saved because the passage to our beds was obstructed by other beds. Our ward consisted of two different parts: I was in the second smaller part the entrance to which was obstructed. In the first part, all were killed, the second ward was saved by a pure miracle (maybe because somebody was calling the murderers away), we heard many shots from the other wards. The execution went on throughout the hospital. One of the other many Germans was passing deciding whether everybody was dead. Then we were simulating death; one of my comrades lying near me, stained himself with blood on his chest and head and was simulating death. One of the Germans, speaking Ukrainian went about among the killed striking them in their faces with his gun. It was a terrible night. During a certain moment a hand grenade, the so-called "stick", was thrown through the window into our ward. One of my comrades had his stomach open. Finally, the building was set on fire.

The fire spread very quickly; those who tried to escape were killed. A woman in our ward tried to push the inflammable stuff away from the exit and to protect the ward from the fire. All other wards, as well as the staircase, were on fire; the smoke, the smell of burning corpses, indescribable thirst; the wounded seized medicine bottles for lack of water, one of my neighbors mad from heat and thirst, seized a bottle with iodine and drank the contents, poisoning himself to death; for myself, together with some other, I moistened my lips with peroxide solution. So we lay until the morning of the following day when, with a superhuman effort, we managed to creep out from the burning ruins. As I was then only three days after a stomach operation, the stitches were torn as I dragged myself to the Podval, suffering great pain. Here I was arrested by some Tartars in German uniform and directed to the church of the Carmelites. The heroic nurses of the Polish Red Cross, who obtained from the Germans the authorization to transfer the wounded, went to fetch those who were still alive in the Hospital of Dluga Street.

Thus, out of several hundred heavily wounded at the Hospital in Dluga Street No. 7, only a few score were left alive.

RECORD No. 247

Deposition by witness Maria Bukowska, 40, resident in Lowicz (after she had left Warsaw), taken by Irena Zgrychowa at Lowicz on 26 September 1944.

On 7th August 1944, by order of the SS, the people of the whole district had to abandon their houses which were immediately set on fire. There were several thousands of us who were driven and pushed about by the SS. All who turned to look back, as well as anyone who tried to help, were beaten. We went through Bednarska street, Krakovsky suburb, up to Trebatska street. On the Marshal Pilsudsky Square men were separated from women — there was weeping and shouts of protests.

In the Saski garden shooting is going on. From afar, from the Central Market we hear shots of the partisans. SS detachments begin to make a living barricade by ordering us to lie down, beating and pushing us, and a moment later a wall of live bodies is formed; we hear weeping and cursing; the SS-men start shooting from behind this living barricade.

Suddenly everything is quiet. We are going further on under guard of the SS-men. The "Ukrainians" take away watches, rings and tear bank-notes in small pieces.

On the Iron Port square, near the Central market, there is a pile of stolen suit-cases. All the good suit-cases are taken away from the owners and thrown on top of the pile. We see lorries which are taking away our belongings. We go further on; there is shooting once more; a car full of the SS-men approaches, the officers get out, they inspect us and take away from our ranks three young, pretty girls: two sisters N. and another girl, unknown to me. The car goes away, the girls cry out, trying to defend themselves against the SS-men. An old woman falls down, she can't go on any more. An SS-officer shoots her in the neck and again we hear curses, and the hearts of thousands of people are filled with revolt and a desire for revenge.

In a church at Wola the rest of our belongings is taken away from us. All the young girls, sometimes no more than 12 to 14 years of age, are left behind, whilst we, the older ones, with the children, are led to the Western Station and then, by railway, to Pruszkow * * *.

COPY OF DOCUMENT 4043–PS

STATEMENT

I undersigned, Roman Catholic priest of the Diocese of Poznan, arrested by the German Gestapo on 12th December 1939 in Poznan and transferred to the concentration camp at Dachau on 23rd May 1940, give the following statement instead of an oath.

Since the 23rd May 1940 until the liberation of the concentration camp by the American armed forces which took place on 29.4.1945 I remained at the concentration camp at Dachau (with an interruption from 3rd September till 8th December 1940 when I was transferred together with the other Polish priests to the quarries at Gusen (Mauthausen)).

By request of the American authorities I volunteered to work in the office of the Section called "Press and Culture" which was to furnish the American authorities and the foreign press with statistical data concerning the concentration camp at Dachau.

The "Section Press and Culture" got its information directly from the so called "Lagerschreibstube" (camp office) directed by a Polish man M. Domagala whose secretary was the abbot Pelewodzinski, priest of the Diocese of Gniezno.

According to the records of the concentration camp that had fallen complete into the hands of the American armed forces, 846 priests and monks, members of the Polish clergy, had perished in the camp of Dachau, out of this number—305 abbots were sent to the gas chambers (called "Invalidentransporte") and 84 priests were transferred to other concentration camps where they perished without leaving any traces. The list of dead priests was brought to Paris by the members of the section "Press and Culture," where it was published in the catholic weekly "Polska Wierna", in Nos. 9, 10 and 11 in 1945.

The Administration, staff and guards of the camp at Dachau consisted exclusively of members of the SS.

Paris, 1.7.1946.
263-bis, Rue St. Horore
Paris (1-er)

Rs. Mizgalski Gerard.

AFFIDAVIT OF OSWALD POHL

I, Oswald Pohl, after being duly sworn, state the following:

1. My name is Oswald Pohl. I was born in Duisburg, Germany, on the 30th July 1892. Since 1st February 1934 I was Chief of the Economic and Administration Main Office of the Elite Guard [Schutzstaffel] (WVHA). I occupied this position permanently until Germany's capitulation.

2. Through my activity as Chief of the WVHA I remember clearly two large business deals between my office and the Reich Ministry of Economics and the Reich Bank of Mr. Walter Funk. One deal concerned textiles from persons killed in concentration camps. In this connection Himmler endeavored to procure through Reich Economics Minister, Walter Funk, a higher allotment for the SS in the uniform material distribution. The other business deal concerned the business connection of my office with the Reich Bank President, Walter Funk, and the Reich Bank with regard to jewelry, rings, gold teeth, foreign exchange and other articles of value from the possessions of people, particularly Jews, who had been killed in concentration camps.

3. The connection of my office with the Reich Bank with regard to textiles of persons who had been killed in concentration camps, was instituted in the year 1941 or 1942. At that time I received the order from the Reich Fuehrer-SS and the German Police, Heinrich Himmler, who was my chief, to get in touch with the Reich Economics Minister, Walter Funk, to obtain a higher allotment of textiles for SS uniforms. Himmler instructed me to demand from Funk that we receive privileged treatment. The Ministry of Economics was receiving from the concentration camps a large amount of textiles delivered. These textiles had been collected in the extermination camp, Auschwitz, and other extermination camps, and then delivered to the proper office for used textiles.

4. As a result of this order received from my superior, Himmler, I visited the Reich Economics Minister, Funk, in his offices. I waited only a short while in his ante-room and then met him alone in his office. I informed Funk of my instructions that I was to ask him for more textiles for Waffen-SS uniforms, as we could deliver so many old textiles from the actions against Jews. I told him that we required these textiles for the Waffen-SS. The meeting lasted around ten minutes. It was openly discussed that we earned perhaps privileged treatment on account of the delivery of old clothes of dead Jews. It was a friendly conversation between Funk and myself and he said to me that he would settle

the matter favorable with the gentleman concerned. How the subsequent settlement between Funk and his subordinates and my subordinates was handled in detail I do not know.

5. The second business deal between Walter Funk and the SS concerned the delivery of articles of value of dead Jews to the Reich Bank. It was in the year 1941 or 1942 after larger quantities of articles of value, such as jewelry, gold rings, gold fillings, spectacles, gold watches and such, had been collected in the extermination camps. These articles of value came in packed crates to Berlin to the WVHA. Himmler had ordered us to deliver these things to the Reichsbank. I remember that Himmler explained to me that negotiations concerning this matter had been conducted with the Reichsbank and Mr. Funk. As a result of an agreement which my Chief had made, I discussed with Reichsbank Director Emil Puhl the manner of delivery. In this conversation no doubt remained that the objects to be delivered were the jewelry and valuables of concentration camp inmates, especially of Jews, who had been killed in extermination camps. The objects in question were rings, watches, eye glasses, gold bars, wedding rings, brooches, pins, frames of glasses, foreign currency, and other valuables. Further discussions concerning the delivery of these objects took place between my subordinates and Puhl and other gentlemen of the Reichsbank. It was a giant quantity of valuables, since the delivery continued for months and years.

6. A part of these valuables of people killed in death camps I saw myself when Reichsbank President Funk and Vice-President Puhl invited us to an inspection of the Reichsbank vaults and subsequently to dinner. I don't remember exactly whether this was in 1941 or in 1942, but I do remember that I already knew Funk personally at that time from the textile industry, as I have described above. Vice-President Puhl and several other gentlemen of my staff went to the vaults of the Reichsbank. Puhl himself led us on this occasion and showed us gold bars and other valuable possessions of the Reichsbank. I remember exactly that various trunks of objects from concentration camps were opened. At this time Puhl or Waldhecker, who accompanied him, stated in my presence and in the presence of the gentlemen of my staff that a part of these valuables had been delivered by our office.

7. After we had inspected the various valuables in the vaults of the Reichsbank, we went upstairs to a room in order to have dinner with Reichsbank President Funk; this had been arranged for the time following the inspection. Besides Funk and Puhl the gentlemen of my staff were present; we were about 10 to 12

persons. I sat beside Funk and we talked among other things about the valuables, which I had seen in his vaults. On this occasion it was clearly stated that a part of the valuables which we had seen came from concentration camps.

Nurnberg, July 15, 1946
Read, approved, signed under oath.

Signed: Oswald Pohl

Witnesses:
Dr. Robert M. W. Kempner
Office of U. S. Chief of Counsel
Walter H. Rapp
Office of U. S. Chief of Counsel
Edith Kirchholtes
Office of U. S. Chief of Counsel

TRANSLATION OF DOCUMENT 4048–PS

The Chief of Security Police and SD
VCB No. 831/44 gRS

Berlin SW 11, December 30, 1944
Prinz-Albrecht-Strasse 8
Telephone 12 00 40

Express Letter—Secret Reich Matter

To: Reichsfuehrer SS
Field Command Office [Feld-Kommandostelle]
For the FS Command Staff Gmund No. 460 and
FS intermediate report of December 4, 1944

Reichsfuehrer!

The discussions about the matter in question with the Chief of Prisoner of War matters and the Foreign Office have taken place as ordered and have led to the following proposals:

1. In the course of a transfer of 5 persons in 3 cars with army identifications, the escape incident occurs when the last car has a flat tire, or

2. carbon dioxide is released by the driver into the closed back of the car. The apparatus can be installed with the simplest means and can be removed again immediately. After considerable difficulties a suitable vehicle has now become available.

3. other possibilities such as poisoning of food or drink have been considered but have been discarded again as too unsafe.

Provisions for the completion of the subsequent work in accordance with plans, such as report, abduction, documentation, and burial, have been made.

Convoy leader and drivers are to be supplied by the RSHA and will appear in army uniform and with pay books delivered to them.

Concerning the notice for the press, contact has been established with Geheimrat Wagner of the Foreign Office. Wagner reports that the Reich Foreign Minister expects to speak with the Reichsfuehrer about this matter.

In the opinion of the Reich Foreign Minister, this action must be coordinated in every respect.

In the meantime, it has been learned that the name of the man in question has been mentioned in the course of various long distance calls between Fuehrer Headquarters and the Chief of PW Matters; therefore the Chief of PW Matters now proposes the use of another man with the same qualifications. I agree with this and propose that the choice be left to the Chief of Prisoners of War Matters.

Please, instruct me.

Heil Hitler!
Obediently yours,
[Signed]: Dr. Kaltenbrunner

TRANSLATION OF DOCUMENT 4049–PS

Enclosure:

A. Methods.

In Camp Koenigstein there are 75 French Generals. For a long time, it has been the intention officially noted in the files, to transfer these French Generals, as Koenigstein is required for other purposes. This plan has up to now not been carried out. The transfer will now commence in the following manner, that in the first draft 5-6 French Generals, each in a special automobile, will be brought to another destination. In each case, there will be a driver and a German attendant in the automobile. Each car will bear Wehrmacht markings. The two Germans will wear Wehrmacht uniforms. They will be specially selected people. During the drive, General Deboisse's car will have a breakdown in order to separate him from the others. This will provide the opportunity to have the General shot in the back "while attempting to escape." The time proposed is twilight. It will be made certain that no rural inhabitants are in the vicinity. To ensure against later investigation, it is planned to burn the body and to send the urn to the cemetery of the fortress Koenigstein. A decision has yet to be reached whether or not the burial of this urn should be carried out with military honors. It must be made certain that medical report, death certificate and certificates of cremation are made out in the regular manner. Sketch of the spot where the incident occurred and detailed report will be prepared. There are no great objections to the fact that no cremation will take place. This question will be once more looked into by the SD.

B. Notice to the Press.

In any case, it will be conspicuous that the fact of an attempted escape of a French officer appears in the press at all. On the other hand, this serves to make certain that this measure, which is intended as a reprisal, shall be made public. The text of the notice to the press will first be laid down when the methods have been decided upon. Besides this, the characteristics of the French General will once more be examined. In addition, the communique will follow closely the Reuter dispatch.

C. Protecting Power Investigation.

It will be assured through the selection of the persons concerned and the preparation of all documentary evidence that in the event the Protecting Power is desirous of an investigation, the necessary documents are available for dismissal of a complaint.

[initial]

Berlin, November 1944

TRANSLATION OF DOCUMENT 4050–PS

Inl. II B
Sb/R
Legation Councillor Dr. Bobrik

1. SS Oberfuehrer Panzinger reports that various changes have been made in the preparation for the matter discussed but that he has, nevertheless, spoken with Col. Meurer once more in order to clarify the modalities. He has promised us a plan for the execution of our proposed action.

Submitted to Gruppenleiter In. II
(Initialed, November 28)

Berlin, November 28, 1944

2. Submitted to Ambassador Ritter for information—December 1, 1944

3. [Illegible]

TRANSLATION OF DOCUMENT 4051–PS

Personal!
Strictly confidential!

Legation Councillor Dr. Krieger—R IV
Hildebrandstr. 5

With regard to the
telephone conversation

A French prisoner of war General is going to die an unnatural death by being shot in flight or by poisoning. Subsequent matters, such as reports, post mortem examination, documentation, and burial have been taken care of as planned.

The Reich Foreign Minister's instruction states that "the matter is to be discussed with Ambassador Albrecht in order to determine exactly what legal rights the protective power could claim in this matter in order to make our plans accordingly."

I should be grateful therefore, if in confirmation of Ambassador Albrecht's promise, you draw up this information for me so that I can submit it to the Reich Foreign Minister.

In my opinion among other things, the legal rights of General Bridoux's Commission, those of the International Red Cross and other authorities would have to be considered; for example, exhumation, post mortem examination by a court physician, etc., also a notice to the Army Information Office, a report to Bridoux, questionnaires for the International Red Cross Committee in connection with the forwarding of possible effects, and the like.

Berlin, January 12, 1945.

[signed]: Bobrik

TRANSLATION OF DOCUMENT 4052–PS

Group Inland II

Personal!
Highly confidential!

Reference: French General
(Through Obersturmbannfuehrer Oberregierungsrat Dr. Schulze 855456.)

SS-Oberfuehrer Panzinger stated for our information that the preparations in respect of the French Generals had reached the stage where a report concerning the proposed procedure would be submitted to the Reich Fuehrer-SS during the next few days.

The French General will be transferred together with four other younger Generals, from the Fortress Koenigstein to a new PW camp. The transfer will be carried out in three automobiles whereby two of the younger ranking Generals will enter the first two cars, while the older ranking General in question will drive alone in the last car in order to give him the special attention due to his rank. The cars will be driven by SS-personnel in Wehrmacht uniform. The automobiles will bear Wehrmacht license plates.

The order will be carried out during the drive, in other words either

1. by shooting during escape—On the way, the automobile will stop at a suitable spot while the other two cars will continue the journey. The General will be killed "by well aimed bullets from behind." Examination of the body, even a possible later autopsy, will confirm the fact that the General was fatally hit while attempting to escape.

2. through poisoning by carbon monoxide gas. A specially built car is required for this purpose which has already been constructed. The General will sit alone in the back seat. The doors will be locked in order to prevent him from jumping out during the drive. The windows, on account of the cold winter weather, will be closed. The window between the back and the front seat, where the driver and the attendant will sit, will be closed. Possible air holes will be specially sealed. Odorless carbon-monoxide gas will be introduced during the drive, into the closed room through a special apparatus which will be handled from the front seat. A couple of breaths will suffice to ensure that he is killed. As the gas is odorless, the General should not become suspicious at the particular moment and break the window in order to let in fresh air. Cause of death is recognizable beyond question by the color of the skin as a typical characteristic. It will be established that through leakages from the exhaust pipe, gases from the engine entered the back compartment which lead unnoticed to his death.

A carbon copy of the report shall be placed at the disposal of the Reich Fuehrer-SS after transmissal to the Foreign Office.

(1) Herewith
through Ambassador Ritter
Mr. State Secretary

for presentation to the
Reich Foreign Minister

Berlin, 13 December 1944

/s/ Wagner
/s/ v. Thadden

(2) to be presented again.

TRANSLATION OF DOCUMENT 4053–PS

[Stamp]
Foreign Office
Pol. I M 2181 Secret Reich Matter
Received: 11 July 1941

Received by
Secret teleprinter

TELEPRINTER OFFICE
of
THE FOREIGN OFFICE
Secret Reich Matter

Telegram: Special Train Westphalia No. 711. 11 July 1941. 1245 hours.
Through Office of Reich Foreign Minister to Legation Councillor Kramarz. No. 637.

Reference Teletype No. 2110 of 5.7. from Washington, Herr Reich Foreign Minister requests you submit immediately a written report regarding who amongst those in New York arrested on suspicion of espionage worked with the Abwehr and who with the SD. Paragraph. Herr Reich Foreign Minister requests for your investigations that you contact the Abwehr and compose your report in collaboration with Minister Luther.

— Sonnleithner —

Received: 11.7. 13.31 hours.

Pol I M
Secret Reich Matter 2 North America.
Not mimeographed.

/s/
H. Kram.

TRANSLATION OF DOCUMENT 4054–PS

Kult:KF Consul General Dr. Gyssling
Submitted to Ambassador Luther 6 November

1. Two things made the support of agents of the Security Service by the German Consulate in Los Angeles virtually impossible:

(a) Because it has been expressly forbidden by the Embassy in Washington to support such agents in view of the danger of a compromise. The agents in question had been advised not to refer to the Consulate under any circumstances.

(b) Because persons who have occasionally introduced themselves as members of the Security Service did not have any identification papers and, almost without exception, made a rather dubious impression, so that there was always the danger that it might merely be a matter of provocation.

Directives by the Embassy to individual persons who were presumably working for the Security Service and, as such, were pursued by the American Secret Service, were complied with. In the case of an agent who had been living in Los Angeles for about a year and a half and who identified himself by a receipt of the OKW for a sum of money received, the Foreign Office was asked for advice since he was in serious money trouble. On request of the Foreign Office, several thousand dollars were then paid to him. He did not comply with an order which had been transmitted through the Foreign Office and the Consulate at the beginning of the year stipulating that he was to return to Germany immediately, but instead he proceeded to Mexico with a girl and failed to make use of a ticket which had been put at his disposal. The man concerned did not speak good English and did not have any idea of general conditions in Los Angeles.

2. The cooperation by the German Consulate and the Military and Air Attache, Lt. General Freiherr von Boetticher, has been intensive since the beginning of the war. Since the importance of Los Angeles is almost exclusively centered around matters of airplane production—apart from the building of ships which has started only recently—the rendering of information to the abovenamed Attache was concentrated on this matter. He was sent a large number of cuttings from approximately ten Southern Californian papers and other publications, daily, as well as a special report of the Chamber of Commerce in Los Angeles dealing with this matter. In addition, a gentleman in the Consulate was designated at the beginning of the year to form his own picture about twice a week regarding the amount in which individual types were manufactured and delivered by the factories concerned. This is possible in Los Angeles because, in view of the mild climate, almost the entire airplane production takes place in public, (open halls, etc.). The cooperation of the Consulate in this matter has always been appreciated by Lt. General Freiherr von Boetticher.

3. The Navy Attache has been supported in a similar manner. He had, on the other hand, stated in former years that Consulates did not have to concern themselves with such matters. During the last months, the Consulate found an agent in Southern California with whom there will be established good cooperation.

Hereby submitted to Ambassador Dr. Dieckhoff.

Berlin, 4 November 1941.

[signed] Gyssling.

Berlin, 12 March 1942

In Charge of the Office
of the Reich Minister of Justice

Dear Reich Minister Dr. Lammers:

I am just being informed by my advisor about the result of the meeting of March 6 regarding the treatment of Jews and descendants of mixed marriages. I am now expecting the official transcript. According to the report of my advisor, decisions seem to be under way which I am constrained to consider absolutely impossible for the most part. Since the result of these discussions are to constitute the basis for the decision of the Fuehrer, and since one of the advisors from your Ministry participated likewise in these discussions, I urgently desire to discuss this matter with you on time. As soon as I have received the transcript of the meeting, I shall take the liberty in calling you to ask you if and when a discussion may take place.

With sincerest regards and Heil Hitler!
Yours devotedly
/s/ Dr. Schlegelberger

To the Reich Minister and Chief of the Party Chancellery
Dr. LAMMERS, Berlin
In charge of the Office of the Reich Minister of Justice charged with the conduct of official business.
IV b 40 g RE

Berlin W 8, 5 April 1942
Wilhelmstrasse 65
Secret Reich Matter

To:

1. The Chief of the Party Chancellery
   SS-Oberfuehrer Klopfer
2. The Reich Minister of the Interior
   Attn: The Secretary of State Dr. Stuckart
3. The Chief of the Security Police and the SD
   SS-Obergruppenfuehrer Heydrich
4. The Deputy for the Four-Year-Plan
   Attn: State Secretary Mr. Neumann
5. The Foreign Office
   Attn: Undersecretary Luther
6. The Reich Minister for the Occupied Eastern Territories
   Attn: Gau Leader and State Secretary Dr. Meyer

7. The Race and Settlement Main Office of the Reichsfuehrer-SS
Attn: SS-Gruppenfuehrer Hofmann.

RE: Final Solution of the Jewish Question.

1. The final solution of the Jewish question presupposes a clear-cut and permanently applicable definition of the group of persons for whom the projected measures are to be initiated. Such a definition applies only when we desist from the beginning from including descendants of mixed marriages of the second degree in these measures. The measures for the final solution of the Jewish question should extend only to full Jews and descendants of mixed marriages of the first degree, but should not apply to descendants of mixed marriages of the second degree [Note: first degree presumably those with two non-Aryan grandparents, and second degree with only one].

2. With regard to the treatment of Jewish descendants of mixed marriages of the first degree, I agree with the conception of the Reich Minister of the Interior which he expressed in his letter of 16 February 1942, to the effect that the prevention of propagation of these descendants of mixed marriages is to be preferred to their being thrown in with the Jews and evacuated. It follows therefrom that the evacuation of these half-Jews who are no more capable of propagation is obviated from the beginning. There is no national interest in dissolving the marriages between such half-Jews and a full-blooded German.

Those half-Jews who are capable of propagation should be given the choice to submit to sterilization or to be evacuated in the same manner as Jews. In the case of sterilization, as well as in that of evacuation of the half-Jew, the German-blooded spouse will have to be given the opportunity to effect the dissolution of the marriage. I see no objection to the German spouse's obtaining the possibility of divorcing his sterilized or evacuated spouse in a simplified procedure without the limitations of Par. 53 of the Marriage Law.

3. An exception might be worthy of consideration with respect to those half-Jews who have descendants who are to become a part of the German national community and who are to lose themselves in it, once and for all. If these descendants are to be incorporated into the German folk community as full-fledged members—which has to be the aim in the case of a genuine final solution of the Jewish question—it seems advisable to keep them from being judged as inferiors or from having feelings of in-

feriority which could arise easily out of the knowledge and the conscience that their immediate ancestors have been affected by the planned defensive measures of the racial brotherhood. It is for this reason that it should be considered whether or not half-Jews whose still-living descendants are likewise half-Jews should be spared from evacuation as well as sterilization.

4. I have no scruples against facilitation of divorce in marriages between racial Germans and Jews. This facilitation should then extend to marriages with those who are considered as Jews. The divorce will have to be granted upon the request of the German-blooded partner in a simplified procedure. I have considerable scruples about compulsory divorces, on motion of the public prosecutor. Such compulsion is unnecessary because the spouses will be separated in any case by the evacuation of the Jewish partner. An enforced divorce, moveover, is without avail, because, though it cuts the marriage ties, it does not cut the inner tie between the spouses; moreover, it does not relieve the German partner from the scorn to which he is exposed by clinging to his marriage. Finally, a clinging to marriage on the part of the German-blooded partner is to be expected only in the case of older marriages which have endured throughout many years. In these cases, in which the Jewish partner as a rule is not evacuated but confined to an old people's ghetto, the German-blooded partner who disclaims his membership in the German community should not be prohibited from being admitted to the ghetto.

[signed] Dr. Schlegelberger

TRANSLATION OF DOCUMENT 4057–PS

[Stamp]
To be treated as CONFIDENTIAL only.

TELEGRAM

(SECRET Coded Matter) (geh. Ch. V.)
Copenhagen, 25 April 1944 1000
Arrival, 25 " " 1645
No. 509 of 24.4

Since, after the first half of April had passed quietly, about 20 April some acts of sabotage and surprise attacks occurred again, especially in Copenhagen, I have decreed the following countermeasures:

1. Execution of a student convicted of an attack against a member of the Wehrmacht.

2. Act of counter-terrorism for every act of sabotage and attack.

3. Closing of moving picture theaters in the greater Copenhagen area until further notice.

4. Preliminary blockade of all communications, in person and by news, with Sweden (in order to achieve a shock effect and hamper enemy propaganda).

5. Preliminary putting into force of the authority of SS and Police Court XXX in Copenhagen for sabotage and similar crimes (here I refer to my simultaneous report made by cipher machine).

BEST.

State Secretary Keppler
Under State Sec. Police/
Ambassador Ritter
Ambassador Gaus
Director Pers. Office
" Harbor Police
" Legal "
" Cultural Police
" Press "
" Radio "
Chief Protectorate
Dike Police/
Group Director Inl. I
Group Director Inl. II
Labor Expl. with Pol. VI
Ambassador von Rintelen
Minister Benzler
" Frohwein/
" v. Grundherr/
Vice Legation Councillor Melchers
Dr. Megerle
Legation Councillor Grote

[Note: Names in above distribution list which have been checked in pencil are indicated thus: /]

BEST.

[Penciled notes] St. S. i Daen 2458

Nurnberg,
August 1, 1946

AFFIDAVIT OF DR. KURT SCHMITT

I, Dr. Kurt Schmitt, at present at farm Tiefenbrunn, near Starnberg, Upper Batavia, make the following statement under oath:

I was born at Heidelberg on October 7, 1886. As Minister of Economics, I was a member of the Reich Cabinet from June 30, 1933 until the beginning of January 1935. I resigned from the Cabinet, technically for reasons of ill health (June 28, 1934), but factually because of deep differences of opinion with the policy of the Hitler Cabinet. I informed Hitler, Goering, Guertner, Schacht, von Papen, and Blomberg about these differences of opinion. The differences consisted mainly of the fact that an always increasing rearmament took place instead of a genuine reemployment program. Even at that time, this was in the year 1934, I recognized that this would lead to war and to a terrible disaster. Another fact was that I regarded the June 30, 1934, action of the regime as murderous. In Autumn 1935 I told this to the American Ambassador Dodd. The nationalistic tendencies of Hitler and his collaborators connected with the unlimited rearmament were the road to war. This policy became more and more apparent to the members of the Cabinet. When I pointed this out to Mr. Blomberg, who was at that time Minister of War, he declared: "I am a soldier and this development is a fate." When I saw the increasing and unscrupulous radicalism in all fields, such as rearmament, Jewish question, church matters, legislation, and foreign policy, I felt that I had to resign from the Reich Cabinet. I participated in about 20 or 25 meetings of the Reich Cabinet where Goering, Darre, Goebbels, Lammers and Frick had great influence. In addition to the above-mentioned reasons of my resignation, I have to say that the SA gained a more and more disastrous influence, as a destructive element in economic and Jewish matters; I have also to add the fact of the complete arbitrariness and lawlessness of the Gauleaders (Gauleiter) who executed arrests and confiscations.

Read, Sworn, Signed:
Dr. Kurt SCHMITT
Reich Minister of Economics from
June 30, 1933, until middle
of January 1935

Sworn before me
1 August 1946
Dr. R. M. W. Kempner
Office of U.S. Chief of Counsel

Berlin W.35 12.11.1938

Chef der Amtsgruppe.
Allgemeine Wehrmachtangelegenheiten
in Oberkommando der Wehrmacht.
To the Wehrmacht Adjutant of the Fuehrer, and Reichschancellor
Lieutenant of the General Staff of the Army Schmundt.
Berlin.

Attached I send you the sketch of a speech which I intend to give on the 2.12, in the set-up of the national-political course for Commanders, Course leaders, and Leaders of Army and Arms Schools.

[signed]: REINECKE.

Disposition for Lecture
"Officers and Politics".

Introduction: Why the theme—"Officers and Politics"
Part I Politics and the officer before 1918.
Part II Politics and the officer in the Third Reich.
Finis. The officer as political leader of his company.

Berlin, 13.10.1938.

[signed]: REINECKE
Colonel

Introduction

Why the theme—"Officer and Politics?"

Obscurity and uncertainty re the relationship of officers to politics.

This often regarded as absurd.

The concept "politics" falsely expounded.

The veto political "activity" confused with political "attitude."

"Politics ruin the character."

"Party Politics."

Whence this aversion to "Politics" and "Party."

Reichswehr between the time of the collapse and the seizure of power out of the mire of the Parties—"non-political".

Reichswehr state within the State.

In truth this "non-political" attitude very political for: refusal of the current system, of the international attitude, conscientious objection was not only the politics of the leaders of the Reichswehr, but of every soldier.

This "non-political" attitude served as an excuse partly—as the reason for the refusal of any occupation with political problems and interpretations of the National Socialists—partly for a passive conduct in regard to politics and—partly as a camouflage for an actual refusal of the National Socialists. A positive attitude of the Wehrmacht leaders to this question, and to the clarifying of the concept "political activity" is urgently necessary—openly without prejudice! How was it in the time before the Collapse?

Part I

Politics and the Officer before 1918

Politics of yore.

Fight of the individual and the party interested groups against each other, to the advantage of either the individual or the party interested groups.

Officer: "With God for King and Country".

Education to monarchist thoughts.

Refusal of the republic—Marxismus (Social Democracy).

Especially Prussian Officers' Corps greatest support of the Monarchy.

"Only soldiers help against democracy."

In this direction united line for officers.

At that time unthinkable for marxistic, republic officers or reserve officers.

Similar attitude for women and children.

Unconditional politics.

In all events in other political relations, as a result of the negative-political leadership—no uniform execution.

How to explain the Collapse?

Military education and discipline alone could not avoid internal ruin.

Deeper cause of the Collapse.

"Lack of an enduring political idea."

Split between military and politics.

A splitting apart and estrangement between the soldier and political leader classes.

Bearers of arms must also be bearers of ideas. Just an obligation to a monarchy and the person of a monarch is not sufficient—alone the parole "With God for King etc" was only recognized by part of the people.

Why was the regrowth of the Great German Reich possible?

Part II

Politics and the Officer in the Third Reich

Rise—result of the cooperation of soldiery and politics and the results of political leadership with a definite aim.

Politics today: Fight of the people for the right to live, organization of this fight and education for this fight—the common good before the good of the individual—a union of the people—What is best for the people?

The armed forces—military educational centers of the people are to be the peak of the education.

Can only be built up on principles created by the Party and the State.

The Party gives the nation to the Army.

Two pillars:

Party and the Armed Forces.

They are forms of expression for the same philosophy of life.

"Party" today means a "passionate espousal of the cause for the German Nation."

The way of the German man

D.J.[German youth], H.J. [Hitler Youth]—Party and its organizations R.A.D. [Reich Labor Service] and then the Armed Forces and once again Party, SA, SS, NSKK, etc.

Its comprehension on four levels

1) Family life
2) Professionally—economically
3) Ideologically
4) Military

1 - 3 wholly Party
4 " Armed Forces

Growth through politically thinking youth, enthused with a glowing desire for military preparedness.

Thus the Wehrmacht arises.

Officers and N.C.O.'s are received as strangers and will be "Chief," "Commanders," but not "Leaders" unless they appraise the same spirit and philosophy of life.

Tasks of the Party and the Armed Forces in indissoluble unity of common responsibility.

Complementary community of political and military Leader Corps—

founded on common principle
filled with one idea
and built up in one spirit.

Both sections thrown back on to the success or downfall of the other. .

They must be so similar to each other that they must bear the building up of the State in unison!—

As the Armed Forces are the bearers of arms—so the Party must be the political bearer of the will of the nation.

Just as the Armed Forces are determinative and responsible in the province of Land Defense, so the Party is determinative and responsible in the province of political leadership and ideological achievement.

The politics of the Fuehrer *are* also those of the Armed Forces!

General principles are:

He alone can be a leader who is imbued with an idea, believes in it, and through example, accomplishment and bearing, forces his followers to imitate.

The officer must therefore practice National Socialism, and not differentiate himself in any way from the leaders of the party.

They too have sworn loyalty until death, and proved it in fact in the birth of the Third Reich.

This will also be demanded from the officer, when the appointed hour strikes.

Precept: The officer can no longer be simply the military leader, must at the same time be the political leader of his company, and be filled with the same idea.

The German nation today is a political nation, and because of this is—unconquerable.

The Armed Forces are the expression of power of this nation and must therefore be the strongest expression of its political will.

This fact must be reflected in the National Socialist bearing of the officer and the N.C.O.

How can the officer do justice to this demand?

Final remarks

The officer as the political leader of his company.

1). *Personal serf-relationship to the Fuehrer and the Commanders in Chief.*

Oath of allegiance is binding not only to the person of the Fuehrer but demands also allegiance to the work of the Fuehrer, the National Socialist philosophy of life.

Fuehrer entrusts to the officers with exceptional responsibility:

The *exclusive school for educating* the young company

—no political commissars—

Conditions for this confidence are man's loyalty proved through:
Unconditional obedience,
unswerving trust and
daily acknowledgment of the *fact*
Unconditional inner 'Yes' to all the demands and precepts of National Socialism
—in private life and with women too—
This is political attitude and not 'activity'. Hereto also belongs:
Unconditional subordination to all the measures and aims of internal and foreign political leadership!!

Aspects which must be opposed.

Public criticism of foreign and internal politics.

Whispering propaganda through the repetition of unfavorable jokes about high Party Leaders.

Ignorance of the philosophical works of the NSDAP (Mein Kampf, etc.).

Separation of the Officer from Party and People.

Inability to associate with political leaders who have not had the same schooling, or who are or who have been manual laborers.

Arrogance towards the non-soldier.

Shirking on the occasion of collections and contributions.

Snubbing of officers' wives.

Relationship towards the Party Leaders

Officers' Corps form, together with the Leadership Corps of the Party,

The Leadership Corps of the Third Reich.

Party Leaders—knowledge of the Armed Forces.

Officers thorough knowledge and deep understanding for the aims and work of the Party, unions.

Friendly attitude towards representatives of the Party, both in working and social associations.

As close a personal contact as possible between man and man.

Clearing up of misunderstandings and questions of differences by *discussion.*

Ruthless interference of the officer against every insult to the proper feeling of the party.

Examples:

Invitations—Mess—Parades—Exercises.

Magnanimity where differences in visiting etiquette occur.

Care in observing friendly saluting obligation.

Prevention of malicious remarks concerning membership of the Party in official reprimands.

The more absolute the sentimental and personal friendliness of the Officers' Corps towards the Leadership Corps of the Party, the more untouchable is the position and the authority of the military leader in the Third Reich.

Educational Tasks.

The *aim* is not only the perfected fighter and bearer of arms but at the *same time:*

the national citizen and bearer of a belief, conscious of his responsibility!

A bad National Socialist—a bad soldier.

The worthiest National Socialist ideology is at the same time the fundamental virtue of the soldier.

Honour, loyalty, obedience, friendliness, unselfishness and a readiness for sacrifice.

National Socialist and military standard of life are one and the same.

National Socialism has grown out of Front experiences.

The Fuehrer—the executor of the legacy of the German Front soldiers.

Education in the image of the Fuehrer—military and national-socialist education at the same time.

"Create fine fellows both in body and soul."

Personal example of the officer both on and off duty.

Non-soldier in uniform—military civilian.

Significance of national-political teaching.

Appendix: Give examples for themes.

Explanation of the themes follows in leaflet form.

The set-up of the political happenings in and around Germany must allow the officer to experience a constant close contact with the political mid-development of the Party and the aims of the Fuehrer. Link-up of the educational work of the Hitler Youth and the Reich Labour Service.

Explanation of the duties of the community of the people, of the politics of the Reich from the world of experience and the circle of duty of the soldier.

Not only in war, but already in peace, the officer must be able to create for the company the greatest political idea of the duties and accomplishments demanded from the individual.

18–23 year olds are particularly receptive. The time of service in the Wehrmacht has especial influence on adolescents. Therefore the synthesis of political *and* military preparedness *at this time* is particularly important.

Such a political activity therefore is not only *not* forbidden, but is a stipulation for every success in military leadership too.

Only political activity in the Party, its organizations and unions is forbidden! * * *

Whoever confesses to his conscience that he is unable or unwilling to fulfill the described conditions without let or hindrance, has no right to belong to the Officers' Corps of the National Socialist Wehrmacht.

The future of the People and the Reich depends on the unity of the Military and the Politician and calm loyalty to the will of the Fuehrer.

Every person contributes through his personal denial or acceptance of his responsibility, his part to the weakening or strengthening of the power to live; the readiness and the fighting capabilities of Germany.

War will not be decided with weapons alone. The spirit of the people and its Armed Forces is still always a deciding factor!

and

"The spirit of the Army lives in the heads of its officers".
(Frederick the Great).

Examples for themes of National Socialist teachings in Army Schools.

(1) The individual is nothing—the Nation is all.
(2) National Socialism, German ideology.
(3) Liberalism—Democracy—Marxismus.
(4) Cosmopolitical powers.
(5) International solidity.
(6) Dictatorship of the Proletariat.
(7) Men make history.
(8) Fuehrer and Dictators,—"Dictatorship of the national will".
(9) The ideal is the greatest reality.
(10) The realization of the NSDAP programme.
(11) Authority and Community of the people.
(12) Blood and soil.
(13) From the People's Day of Mourning to the Heroes' Memorial Day.
(14) Three time Heroes' Memorial Day.
(15) The symbol of the Third Reich National Holidays.
(16) Four times 9th November.
(17) The "decent Jew". The Jew as "Lover in all forms" etc., etc.
(18) Tasks of the supporting pillars of the State! Armed Forces and Party.
(19) Outlines of the history of the Party with particular reference to its growth from Front line soldiers.

(20) The life of the Fuehrer, the Fuehrer as soldier.
(21) Leading men of the Party as soldiers.
(22) The State has not created us, but we the State.
(23) The party gives the nation to the Army, and the nation gives soldiers to the Army.
(24) Party and Armed Forces live from the same roots.
(25) The unity of the State and the Armed Forces.
(26) Authority to subordinates and responsibility to superiors (See Fig. 11).
(27) Fellowship and community of the people.
(28) Officer and politics, then and now.
(29) Concept of leadership and responsibility.
(30) Duties of a soldier as part of the duties of the German generally.

TRANSLATION OF DOCUMENT 4064–PS

XXX Corps IC Ref. 752/41 Secret.
[Stamp]
72. Division
27 Nov. 1941
Diary No. Ic 356/41 Secret
Army Headquarters, 20.11.1941

Army High Command 11
Ref: Dept Ic/AD No. 2379/41
Secret

SECRET

Since 22.6 the German people are engaged in a life and death struggle against the Bolshevist system.

This struggle is not being carried on against the Soviet Armed Forces alone in the established form laid down by European rules of warfare.

Behind the front too the fighting continues. Partisan snipers dressed as civilians attack single soldiers and small units and try to disrupt our supplies by sabotage with mines and infernal machines. Bolshevists left behind keep the population freed from Bolshevism in a state of unrest by means of terror and attempt thereby to sabotage the political and economic pacification of the country. Harvests and factories are destroyed and the city population in particular is thereby ruthlessly delivered to starvation.

Jewry constitutes the middle man between the enemy in the rear and the still fighting remainder of the Red Armed Forces and the Red leadership. More strongly than in Europe, it holds all the key positions in the political leadership and administration, controls trades and guilds and further forms the nucleus for all unrest and possible uprisings.

The Jewish-Bolshevist system must be exterminated once and for all. Never again must it encroach upon our European living space.

The German soldier has therefore not only the task of crushing the military potential of this system. He comes also as the bearer of a racial concept and as the avenger of all the cruelties which have been perpetrated on him and on the German people.

The fight behind the lines is not yet being taken seriously enough. Active cooperation of all soldiers must be demanded in the disarming of the population, the control and arrest of all roving soldiers and civilians and the removal of Bolshevist symbols.

Every instance of sabotage must be punished immediately with the severest measures and all signs thereof must be reported.

The food situation at home makes it essential that the troops should as far as possible be fed off the land and that furthermore the largest possible stocks be placed at the disposal of the homeland. Particularly in enemy cities a large part of the population will have to go hungry. Nevertheless nothing which the homeland has sacrificed itself to contribute may, out of a misguided sense of humanity, be given to Prisoners or to the population—so long as they are not in the service of the German Wehrmacht.

The soldier must appreciate the necessity for harsh punishment of Jewry, the spiritual bearer of the Bolshevist terror. This is also necessary in order to nip in the bud all uprisings which are mostly attributable to Jews.

It is the task of leaders at all levels to keep constantly alive the meaning of the present struggle. Support for the Bolshevist fight behind the front by way of thoughtlessness must be prevented.

It is to be expected that non-Bolshevist Ukrainians, Russians and Tartars will be converted to the New Order. The non-participation of numerous, alleged anti-Soviet elements must give place to a definite decision in favor of active cooperation against Bolshevism. Where it does not exist it must be forced by suitable measures.

Voluntary cooperation in the reconstruction of occupied territory is an absolute necessity for the achievement of our economic and political aims.

It has as its condition a just treatment of all non-Bolshevist sections of the population some of whom have for years fought heroically against Bolshevism.

The ruling of this country demands from us results, strictness with ourselves and submergence of the individual. The bearing of every soldier is constantly under observation. It can make enemy propaganda ineffective or give it a springboard. If the soldier in the country takes from the peasant, the last cow, the brood sow, the last chicken or the seed, then no restoration of the economy can be achieved.

In all measures it is not the momentary success which is decisive. All measures must, therefore, be judged by their effectiveness over a period of time.

Respect for religious customs, particularly those of Mohammedan Tartars, must be demanded.

In pursuance of those concepts there are other measures besides to be carried out by the later Administration. The enlightenment of the population by propaganda, encouragement of personal initiative, e.g., by prizes, extensive detailing of the population towards fighting the partisans and expansion of the local auxiliary police must be given more significance.

For the achievement of this objective the following must be demanded:

Active cooperation of soldiers in the fight against the enemy in the rear,
No soldier to go about alone at night,
All motor vehicles to be equipped with adequate armament,
A self-assured, but not overbearing attitude from all soldiers,
Restraint towards prisoners and the other sex,
No waste of food.

Severest action to be taken:

Against despotism and self-seeking,
Against lawlessness and lack of discipline,
Against every transgression of the honor of a soldier.

The Supreme Commander
/s/ von Manstein.

Distribution:

right down to the Regiments
and independent Batallions

6.6.39

The Bearer of Arms—Political Soldier

Refs. (1) German Army Year Book 1939, Page 50, "Soldier and Politics".

(2) "The Training Manual" 3rd Edition 1939, page 98, "National Social Education Work in the Armed Forces".

The "political soldier" has already become a concept of the Third Reich. He is the man in whom "civil courage" is no longer lacking, to whom action in the political world has become self-evident for a soldier. His model is the old veteran ("alte Kaempfer").

At the side of the "political soldier" stands the soldier as bearer of arms. He also is not a "non-political soldier."

When it says in Paragraph 1) of No. 26 of the Defense Law of May 1935 "the soldiers must not take part in political activity," that merely means that the soldier is not to talk politics.

According to the same paragraph the soldier still has the right to vote and to take part in elections. In this too there is no political disadvantage to be seen, but it is clear that the soldier is regarded as the political supporter of his Fuehrer and Supreme Commander. For him there is no question of "Yes" or "No".

In accordance with these paragraphs also lies membership of the Party and its organizations, as well as of one of its attached units, for the continuation of active military service. That is to say, the soldier on active military service has to act only in accordance with the orders of his military superiors. That is a clear and self-evident rule for the "political soldier" as well as for the soldier as bearer of arms, demanded by unconditional obedience on the part of the soldier and by military discipline.

Basically, however, the soldier as bearer of arms is a political soldier. He is a convinced National Socialist, a representative of the rules of living of National Socialism. He upholds the highest values of the National Socialist ideology, honor, loyalty, arms, blood and soil, a people and a greater Germany without end, the common good before the individual good, etc.

Military training should and will bring to completion training in school, Hitler Youth and Reich Labor Service.

Above and beyond that it will have its effect on the future life of the soldier who leaves military service. The soldier should continue in the future to live the soldier's life of duty as the National Socialist life of duty.

Close liaison between the Armed Forces and Party, between the Armed Forces and people guarantees a clear sympathetic understanding with the common people. In it, by his behavior in and out of service, the soldier will be as much of a front-line fighter as is demanded of the political soldier.

In the experiences of the front are to be found the roots of National Socialism, in the experiences of the front the feeling of comradeship and common blood showed themselves with greatest effect.

The fearful collapse at the end of the Great War is an experience which the front-line fighter, and indeed those who come after him, must never forget. This experience teaches the value of the strong union of all classes. It demands the best and firmest partnership in battle. It demands that the soldier should know the rules of living of his people, that he should know what he must guarantee with his whole mind and endeavor, and with his life.

Ideological leadership in the Armed Forces should popularize these ideas more and more with all bearers of arms and educate them at the same time to be ideological fighters. Suitable measures are inserted according to plan in the training course.

The Armed Forces are endeavoring to fulfill to the utmost the Fuehrer's demand that they should be "the last and highest school of patriotic education," in which the soldier "should obtain from the strength of commonly felt esprit de corps the conviction of the insuperability of his nationality."

They know that above and beyond the handling of weapons and battle technique and their application in the service rendered in the struggle by the spirit, the spiritual attitude is decisive for the final action and success.

In their work of education they will awaken and strengthen the front-line courage, and here meet up on the same level with the work of education of the political soldier.

The heroic prototypes of soldiery are an encouragement to it, the fallen soldiers of the Great War and Spain stand beside those who fell for the movement, who by voluntarily pledging their lives in the political fight for power, created the basis for political freedom and the reassumed military force of the German people.

In political and ideological training the soldier should learn to know the greatness of the history of his people, the heroic figures from the different historical periods. The tasks of the present and of the future should be made known to him. A sense of German living space and of a national political aim should be awakened in him. His feeling of responsibility as a soldier and a National Socialist should be aroused to the utmost.

In him soldiery and National Socialism should blend into law, according to which he makes his start, according to which he fights, according to which he triumphs or dies.

Officers and soldiers know that weapon and ideology belong together and in common form the forces which will master all tasks.

[signature illegible]

DRAFT

of a speech for the opening of the
training course for commanders in Munich.

[Handwritten note—illegible]

The next war will be the struggle for the victory of our ideology.

Democracies led by Jews and Freemasons against Totalitarian States.

At the end of such a war there must be a clear decision—no compromise solution.

It is therefore a matter of existence or non-existence.

More than ever in the history of war will material play a large part. Material has value, however, only when man masters it. Even in a material war the decisive factor is man, his spirit, his soul.

Glance in the newspapers, serious times. The efforts of our opponents stand out more and more clearly. Uncertain when and how it will come to a decision. (But however the course.)

Weapon training is not sufficient because the spiritual greatness of the German soldier, yes of the whole German people, is decisive in a battle such as the coming one.

Therefore: Commanding is no longer sufficient—Leadership is necessary. The decisive importance of this ability to lead much too little recognized. Without the right attitude on our part we cannot educate and lead soldiers. In the fight for the victory of our ideology only he can fight who is himself permeated with this ideology.

(Course should be stimulus. Most diligent work demanded. The demands of war must be met in time of peace.

Pretence is crime. Only the deed counts.

The commonplace in peacetime secures the basis for victory.)

Manifold tasks in every sphere in the training of the Officer

Corps and the NCO Corps, in the training of the troops, in their recruiting, (in the attitude of the commander as managing director). By his example the officer must continually be an educator and a living proof of the true greatness and truth of the National Socialist ideology.

(Only the commander, who possesses and shows this basic attitude, fulfills his duty.)

[More illegible handwritten notes]

TRANSLATION OF DOCUMENT 4067–PS

TELETYPE G. WNOL 03295 9/6 1345.

Here First Lt. Hartenberg GWNOL Captain Birnbach
FRR [Note: Fuehrer—used as a priority symbol]
G–WNOL 03295 9/6 1345.
FRR Panzer Army Africa via German General with the Supreme Command of the Italian Armed Forces, Rome.

For Panzer Army Africa via German General with the Supreme Command of the Italian Armed Forces in Rome.—OKW/Quartermaster General for information—General z.b.v. at OKH for information — Supreme Command of the Air Force/Quartermaster General for information—OKW/W R for information. Top Secret, only to be transmitted via officers. According to information received, numerous German political refugees are supposed to be amongst the Free French Units in Africa. The Fuehrer has ordered that they are to be treated with the greatest severity. They are therefore to be disposed of without mercy in battle. Where this has not happened, they are to be shot retroactively on the command of the nearest German officer immediately and without further ado, as long as they do not have to be kept back for the time being for screening purposes. Written handing on of this order is forbidden. Commanders are to be informed verbally.

TRANSLATION OF DOCUMENT 4069–PS

French High Command in Germany

Baden-Baden, 18 July 1946

Delegation of the Ministry of Justice for the discovery of WAR CRIMES in Germany,
General Direction of Justice,
The Delegate.
Reference. JUS/CG/No. 2680

President FURBY
General Director of Justice
Delegate in Germany for the
Discovery of War Crimes.
to
The Secretary General
of the French Delegation at
the International Tribunal in
NURNBERG

In reply to your telegram of 13 July received today, I have the honour to forward to you the file of the murder of General MESNY which I have in my possession.

I should be obliged if you would return it to me when you have no further use for it so that the inquiries I asked for can be continued.

THE DELEGATE

[Stamp of the Military Government in the French Zone.]
General Direction of Justice.

Inclosure:—1 file

On January 20th, in the morning, Commandant PRAWITT, head of Oflag IV-C, came into the rooms of the French Generals and spoke to us as follows:

"I inform you officially that General MESNY was shot yesterday in Dresden for trying to escape. He has been buried in Dresden with military honors from a detachment of the Wehrmacht."

Two facts remain obscure in this sombre tragedy:

(1)—The transport of General MESNY *alone* (second car). The choice of General VAUTHIER, then the cancelling of the order seemed very suspicious to us giving the attitude of the general, who was a volunteer for work in Germany, and whose transfer to a reprisal camp seemed inexplicable.

(2)—General MESNY, whose eldest son is in a camp for political deportees in Germany, said to me several times during the course of conversation: "If up to 1944 I always tried to prepare my escape, afterwards I gave up trying altogether, even if I had every chance of succeeding.—First of all, the end of the war is only a question of weeks,—moreover, and especially, I should be much too afraid that my flight would cost my eldest son his life."

An hour before his departure from KOENIGSTEIN on January 19th, General MESNY repeated these words to me again.

And how can one imagine that a general in *uniform* would attempt to escape, given the transport conditions described above?

If it is true that General MESNY was shot during the transport from KOENIGSTEIN to COLDITZ, it could not be for trying to escape.

Premeditation or the terrified act of a German officer (after a discussion or a request for a half of a few minutes), these are, we think the only explanations for this tragic drama.

General BUISSON

Beurget du Lac 29.4.45

Division Commander General Louis Buisson
ex-prisoner of War in Oflag IV-C,
repatriated from Germany on 20 April 1945.
to
The Minister of War,
on the subject of General MESNY
who is supposed to have been shot
in Dresden on 19 January 1945.

On 18 January 1945, the following 6 officers, all generals, from the camp of KOENIGSTEIN-Oflag IV B, were picked out and told to leave the Camp on 19 January in the morning—for an unknown destination:

—1st car: 6 a.m. Generals DAINE and de BOISSE
—2nd car: 6:15 a.m. Generals FLAVIGNY and BUISSON
—3rd car: 6:30 a.m. Generals MESNY and VAUTHIER

On the 19 January, if the first car left at the appointed time, it was not the same for the other two, as both their order of departure and the times were changed.

Second car 7 a.m. General MESNY *alone* (for according to information given General BUISSON by the German interpreter ROSENBERG, an order had arrived from the German High Command during the night, cancelling General VAUTHIER'S departure).

Third car: 8 a.m. Generals FLAVIGNY and BUISSON.

The orders for the journey were draconian:

—destination unknown,
—it was strictly forbidden to make any halt on the way.
—the door handles were taken off the cars,
—there was a German officer in each car, with an automatic pistol on his knees and his finger on the trigger.

On our arrival in Colditz (Oflag IV-C) the reprisal camp, towards noon on 19th January, we noticed the absence of General MESNY, who had not arrived; we thought he had been sent to another camp, although his luggage was in the truck with that of the other four generals.

INTERNATIONAL RED CROSS COMMITTEE
CENTRAL AGENCY FOR
PRISONERS OF WAR
French Service
EF.120.661 (RFOD 10.511)
NJ/AJ.

Geneva, 5 April 1945

Madame MESNY
4, Place Puvis de Chavannes
LYON

Dear Madam,

We regret to inform you that Monsieur DENZLER, attache at the Swiss Legation in Berlin, has just sent us the following information concerning General MESNY:

"On 6 February 1945 I visited Oflag IV D in Colditz and at the express request of the people concerned, I am sending you the following information:

The Generals FLAVIGNY, de BOISSE and BUISSON have been transferred from Oflag IV B in Koenigstein to Oflag IV C in Colditz. The Generals MESNY and VAUTHIER have also left Koenigstein in a private car for Colditz. According to a communication from Commandant PRAWILL General MESNY was shot near Dresden when he was trying to escape."

We immediately got in touch with our Delegation in Berlin in order to try and learn some details from the German authorities as to this tragic event. We shall not fail to send you any information we receive.

With our deepest sympathy, we beg to remain

Yours faithfully,

International Red Cross Committee
Central Agency for Prisoners of War
GENEVA
[Signed]: M. LENOIR

Garmisch-Partenkirchen
21-7-46

AFFIDAVIT OF RUDOLF SCHOENBERG

I, Rudolf Schoenberg, born at Krenau in Upper Silesia on the 10.5-08, was deported on the 5.11.40 with about 350 Jews from the town of Krenau in Upper Silesia to the camp of Sakrau in Upper Silesia. Sakrau Camp was a so-called "forced labor camp" in which all the inmates were Jews. I was later in eight other so-called forced labor camps: Sakrau, Mechtal, Markstedt, Klettendorf, Langbielau, Faulbrueck, Reichenbach and Annaberg in Upper Silesia. Almost the same conditions existed in all these camps. Very hard work with the minimum of food consisting of 200 to 400 grams of bread per day and a water soup. There was only rarely 20 to 25 grams of margerine in addition. These camps were mostly guarded by the SA, but at times also by the Wehrmacht or the Organization Todt. As has already been mentioned above, we had to carry out the hardest work with the minimum of food and in winter without sufficient clothing or shoes, while being very badly ill-treated by the guards and also in part by the foremen who were also mostly SA men or other Party members. According to my experiences, these so-called forced labor camps were not far behind the concentration camps and perhaps not at all. These camps did not actually possess any crematoria or other "social installations" of Hitler rule. But there too (I should like to stress that these camps mostly contained 4 to 800 men, with the exception of Markstedt which had about 3,000 Jews of different nationalities as well as Poles, Frenchmen, Belgians, Dutchmen and Greeks) there was no lack of deaths owing to ill-treatment and malnutrition; thus for instance as early as the beginning of 1942 so-called sick transports—i.e. people who were already so weakened by malnutrition and ill-treatment that they could not in practice do any more productive work—were deported from Mechtal camp to Kosel near Heidebreck in Upper Silesia where they were killed by injections or gassing. In Marstedt and Faulbrueck too, despite the relatively small number of inmates, 12 and more persons died daily. These men were laid to their last rest somewhere at the edge of the town or of the forest like dead cattle. The corpses were loaded on to a cart in sacks or, at best, in old packing cases and buried as described above.

In view of the quantity of material, I am unable to write down all the details of my five years of torture. I should only like to show by the above that, according to my experiences, the methods of the SA by no means lagged behind those of the SS. I am always ready to describe these statements of mine in detail orally.

I am also ready—as I was in several camps and have therefore found a relatively large proportion of my comrades in misfortune again—to get hold of these to confirm my statements.

I should like to add also that I was carried off by SA men in Berlin as early as March 1933—i.e. immediately after the taking over of power—and was very badly ill-treated, so that I had to be picked up in the street and taken to the Urban Hospital at Friedrichshain. It seems to me that the documents regarding this can be found in the hospital concerned. All I wish to say here is that the SA in no way lagged behind the SS in their murderous and criminal methods at that time already.

I, Rudolf Schoenberg, hereby declare that the above statements are founded on pure truth and I am at all times ready to repeat and add to this testimony on oath.

Garmisch-Partenkirchen, 22 July 1946.
Fichtackerstr. 4.

[signed] Rudolf Schoenberg

Certified a true signature of Schoenberg in the presence of the undersigned:

[signed] Melvin W. Nietz
Major, Infantry
Military Government Officer

TRANSLATION OF DOCUMENT C–60

TOP SECRET FUEHRER H.Q.
24 March 1941
8 copies
Copy Nr. 3.

High Command of the Armed Forces
"WFST"/Dep. L (I Op) No. 00504/41 G.C.
Top Secret
Only by officer

Subject: Reconnaissance and attack within
Greek territorial water (Island of Crete)

Effective immediately, the Leader and Supreme Commander has authorized reconnaissance and attack against all naval forces (including Greek forces) within Greek territorial waters surrounding the island of Crete.

The Chief of the High Command
By Order
[signed] JODL

Distribution:

Supreme Command of the Air Force, Air Force General Staff Ia	1st copy
Supreme Command of the Army (Information)	2nd copy
Supreme Command of the Navy, naval situation report	3rd copy
Chief, Armed Forces operational Staff	4th copy
Chief, Air; same copy for War Diary	5th copy
Air I L operational	6th copy
Air I H operational	7th copy
Air I K operational	8th copy

TRANSLATION OF DOCUMENT C–100

TOP SECRET.

MID/24/T 7/45.

"SINK AT SIGHT" POLICY

Throughout the latter part of 1939 and the beginning of 1940, the "sink at sight" policy was being evolved by the Germans. The following extracts from German documents all have some bearing on this subject.

I. *Extracts from documents contained in "Kriegstagebuch 1 Skl. C. Heft VII. Oberlegungen des Chefs der Seekriegsleitung und Niederschriften ueber Besprechungen mit dem Fuehrer."*

23.9.39.

From a report on a conference in Zoppot between the Chief of Naval War Staff (Raeder) and the Fuehrer, at which Generaloberst Keitel was present:

"(2) The strengthening of A/S activity (planes, armed merchant ships) eliminates the possibility of searching British merchant ships. The Fuehrer agrees to the proposal that action without warning be taken against any merchant ship, definitely established as enemy (not passenger ships), on the assumption that she will be armed. When possible, neutrals should be specially well-treated, in order to show that the system has not been radically altered."

(P.3 of "Unterredung Chef der Skl. mit dem Fuehrer am 23.9 in Zoppot. (In Gegenwart Generaloberst Keitel)")

16.10.39.

From a report, signed by Raeder (Ob.D.M.) [C. in C. of the Navy] on a meeting he had with the Fuehrer. General Jodl was present:

"(2) Report on the intensification of the war at sea, as an appendix to the memorandum sent to the Fuehrer. The Fuehrer has agreed to:

(*a*) the torpedoing of French and British merchant ships without warning.

(*b*) the torpedoing of passenger ships *in convoy,* provided that some time elapses between the announcement of this intention and the torpedoing.

Ob.d.M. points out that passenger ships are already being torpedoed, if they sail *without lights.*"

("Vortrag Ob.d.M. beim Fuehrer am 16.10.1939. Gegenwart General Jodl")

10.11.39.

From a report, signed by Raeder, on a meeting he had with the Fuehrer. Gen.Ob. Keitel and Korv. Kapt v. Puttkamer were present:

"(3) *The U-boat war* * * *

Query: Should a proclamation, concerning the intensification of the U-boat war, be made to neutral countries at the time of the commencement of a land offensive, so that any protests to it, by being made at the same time as other, possibly stronger protests, create less stir in the world? Ob.d.M. suggests a much more gradual intensification—step by step—without, for the time being, taking a proclamation into account. At the moment, a proclamation such as this is less necessary, as the Americans have themselves announced a prohibited area for their ships round Britain and France, whereby encounters with the powerful neutrals are eliminated. (See appendix.)

Ob.d.M. suggests as the next step, the sinking without warning of enemy passenger ships, which are often heavily armed and used as troop transports, or for carrying contraband cargoes. It is known that these ships are armed; it is even shown in pictures. The Fuehrer agrees to this, provided that the names of the large ships concerned are announced, and that it is established that they are being used as auxiliary cruisers or troop transports. Ob.d.M. suggests, as a *later* step, the sinking without warning of neutral ships, which we definitely know carry contraband goods, whose port and time of departure and whose route are known to us (i.e. Greek steamers). The suggestion will be put forward by Ob.d.M. for consideration as soon as the possibility of a change in attitude among neutral nations is established (i.e. in the case of an offensive). The immunity from attack of ships owned by friendly nations (Italy, Japan, Russia, Spain) should be continued. Setting

up of a communications and control organization in neutral ports (appendix, section B, final sentence)."
("Vortrag beim Fuehrer am 10.XI.1939 (Gegenwart: Gen.Ob. Keitel und K.Kpt.v. Puttkamer).")

Appendix to the above:

"I. *Proclamation*

By the declaration of a prohibited zone for American ships in the European area, a new situation has arisen in connection with the necessity of an announcement in the form of a proclamation. The possibility exists that the war at sea against Britain can be intensified to such an extent by war measures, that almost the identical goal is attained as that aimed at by the proclamation.

The intentions of the general war directorate must be considered when the necessity for the issue of a proclamation, or the appointing of its time of issue, is settled.

II. *Measures for the intensification of the war on merchant shipping.*

(A) *Present position:*

(1) The following are *not yet* affected by the intense form of war on merchant shipping (sinking without warning):
(*a*) all neutral merchant ships sailing alone, or under neutral escort;
(*b*) passenger ships sailing alone (even armed passenger ships), if they are built to accommodate a large number of passengers.
(2) The following are not, as yet, liable to capture:
(*a*) merchant ships of friendly neutral states: Italy, Spain, Japan, Russia;
(*b*) all neutral ships sailing alone towards an enemy port, provided that their manner is correct and their cargo does not include contraband goods;
(*c*) all neutral ships, without contraband goods on board sailing from enemy ports.

(B) *Suggestion for further intensification:*
(as a measure to be put into force when the most intense form is required)

(*a*) freedom of action against all enemy ships, including passenger ships:
Grounds: armament, use as troop transports.
(*b*) further methodical laying of mines in British harbours and approach points.
(*c*) concentrated attack by the operational air force on the main enemy import harbors.

(*d*) support of these war measures by the setting up of a communications and control organisation in neutral ports, and by strong political and economic pressure on neutral countries for the purpose of terminating their merchant shipping traffic with Britain.

* * * * * * *

(V) *Further possibilities, which are, however, undesirable at the present time:*

(1) merchant shipping warfare in accordance with the Prize Regulations against Italian, Spanish, Russian, and Japanese ships.

(2) the sinking without warning of all neutral ships which are known to be carrying contraband goods to Britain.

("Anlage zum Vortrage des Ob.D.M. v. 10.XI.39. Fuer Vortrag des Ob.d.M. beim Fuehrer" — in full.)

30.12.39.

From a report, unsigned, on a meeting between Ob.d.M. (Raeder) and the Fuehrer, at which Gen.Ob.Keitel and Freg.Kapt. v. Puttkamer were present:

* * * * * * *

"(5) *Intensification of the U-boat war.* See appendix. The procedure, in force until now, of general intensification without any special announcement, has been successful. Should a proclamation of general intensification of the war be made (the Fuehrer has approved this), it is desired that it be merely a *general* intimation of intensification even of the war at sea, and that it contain no concrete definitions. Furthermore, it is requested that the Naval War Staff have full power to carry out any steps of intensification, which the general situation and the preparedness of the means of war allows. The full consent of the Fuehrer, however, must in every case be gained beforehand. The same process must be carried out even if no proclamation be made. The Fuehrer, thus, gives his consent to:

(*a*) Merchant ships of nations which sell or charter ships to Britain—mainly Greek ships—may be fired on and sunk without warning within the American prohibited area. This may be done by one or more U-boats according to the situation, and will possibly be limited to specific areas.

(*b*) In those sections of the American prohibited area, in which the fiction of danger of mines can be maintained i.e. the Bristol Channel, all or single U-Boats may fire on and sink any neutral merchant ships except those of "friendly" neutral countries.

(*c*) The Fuehrer is reserving the announcement of the law in reply to the order in council until the moment of the general intensification of the war; should the offensive be long delayed, then until such time as special measures will have to be carried out in place of an offensive.

The good treatment of friendly neutrals is to continue." (p.r. of "Vortrag des Ob.d.M. beim Fuehrer am 30.XII.39. (Gegenwart Gen.Ob. Keitel und Freg.Kpt. v. Puttkamer.)")

Appendix to the above:

(signed by Fricke of the Naval War Staff, 1st Division (1 Skl.))

"Intensification of the war on merchant shipping.

I. The position of the German war on merchant shipping at the end of December 1939.

(*a*) *Attacks by U-boats without warning:*

(1) against all enemy merchant ships, with the exception of passenger ships sailing in convoy.

(2) against all neutral ships sailing in enemy convoys.

(3) against all ships sailing without lights in the area: 20° W, 62° N, 3° E, 44° N,

(4) against all ships which disobey when ordered to stop or to discontinue the use of their wireless,

(5) against all tankers within the American prohibited area west of 2° E, with the exception of Italian, Russian, Spanish, American and Japanese tankers."

(From "Anlage zu Vortrag beim Fuehrer am 30.12.1939")

23.2.40.

From a report, signed by Raeder, on a meeting he had with the Fuehrer. Gen.Ob. Keitel, Gen.Maj. Jodl and Freg. Kapt. v. Puttkamer were also present:

* * * * * * *

"(2) North Sea. * * *

(*d*) *Intensification of the U-boat war.*

Up to the present, all ships sailing without lights (including passenger ships sailing *without lights*) could be fired on and sunk within the American prohibited area. It has now been established that British ships sailing without lights have, of late, often been showing dim navigation lights. This is done, presumably, to avoid collisions. Besides flying their country's flag and showing the markings of their nationality, neutral ships are

> obliged to sail with lights so that they may be recognised beyond all doubt. Ob.d.M. proposes that even passenger ships sailing *without lights*, but showing navigation lights, be fired on and sunk (without warning) as this would signify that they were British. The British use passenger ships to a great extent for transporting troops and freight, owing to the shortage of freighters. The Fuehrer has agreed to this."

(P. 2. of "Vortrag des Ob.d.M. beim Fuehrer am 23.2.40–1030–Gegenwart: Gen. Ob. Keitel, Generalmajor Jodl, Freg.Kpt. v. Puttkamer".)

II. *Extracts from documents contained in file: "1 Skl. Handakten, Korv. Kapt. Assamann."*

From a memorandum entitled: "The position of the Naval War Staff to the question 'Reaction to the Order in Council,' concerning the seizing of German export goods."

"I. The 'order in council' was announced on the 28th November 1939. According to its text and also according to the intention of the British, its purpose is to stop Germany from exporting goods in neutral ships * * *

II. This British measure calls for a counter-measure from Germany, whether it actually has a great effect or whether its effect has merely been over-estimated by the British. The Reich Government has so far 'reserved further measures' * * *

III. * * * It is not necessary to reply merely by sea warfare. Retaliation in the political, economic and other spheres of war (i.e. the Luftwaffe) can also be given consideration * * *

V. * * * It would be possible to make the 'order in council' grounds for a general intensification of the war. Should however, the moment for this be long delayed, then a reply *if indeed any such is intended,* must be made earlier, i.e. *soon.*

VI. Naval measures for intensifying the war on merchant shipping have so far progressed that only the last step is required to exhaust all the possibilities. The suggestion of the Auswaertigen Amt, of replying to the Order by a pronouncement of blockade or with similar measures, does not meet with the approval of Skl. [Seekriegsleitung—Naval War Staff]. This measure should be reserved for the general intensification of the war. A measure such as that sketched in the appendix might be considered as a reply to the 'order in council.' This outline for a law, proposed by Skl, has been approved by the Auswaertigen Amt, which relinquishes its earlier, more extensive proposal, since Skl intends a further intensification of the war on merchant shipping in the near future.

VIII. The proposal of Skl is: should the political authorities wish to reply to the 'order in council' before the general intensification of the war, and if they consider that such an answer can be given only by intensifying the naval war, then the law should come into force about Dec. 15th."

("Stellungnahme der Seekriegsleitung zu der Frage 'Reaction auf die order in council', betreffend Exportbeschlagnahme deutscher Waren." [This document is near the beginning of the file and has many underlinings in green pencil.])

Appendix to the above:

"A Special Law in retaliation to the enemy measures against German Export.

ART. I.

Goods and materials, including fuel of all kinds, which are enemy property, or of enemy origin, or which have been loaded in an enemy port, are liable to be seized or taken into port, whatever the nationality of the ship carrying the cargo may be.

The terms of the Prize Regulations concerning contraband goods apply accordingly.

This law applies to goods and materials shipped after * * *

ART 2.

This law comes into force on its publication.

Grounds for the special law.

The grounds for the law are to be set out, in the preamble and in the notes given with its notification to neutrals, somewhat in the following way:

By the Order of 28.11, the British Government has subjected to attack export goods of German origin on neutral ships making for neutral ports, even when they are neutral property. It is immaterial where such export goods of German origin are encountered.

Threefold breaking of International Law by the British Government:

(1) by the attempt to carry out a permissible ban on merchant shipping in the form of an illegal 'paper' blockade (as the first step to a formally declared and effective blockade), without employing the corresponding blockade forces,

(2) by extending the application of this 'paper' blockade over all the seas; not limiting it to German waters.

(3) by subjecting neutral countries thereby to the effects of a procedure, permissible neither in form nor in content."
(The above appendix is attached to document 'Stellungnahme' der Seekriegsleitung * * * Neither is signed nor dated).

From notes, undated and unsigned, on a memorandum on the intensification of the war at sea against Britain. (This does not seem to refer to any particular document contained in the file, none of which, however, contain any information on this subject which is not given in the extracts in Section I).

"The memorandum clearly shows that, for some time to come, we shall not be in a position to gain a decisive success in the economic war against Britain by war means, *even if these are put into force in their most intense form.* This fact leads to the logical conclusion that the economic war must be conducted so that, on the one hand, it should be operationally as successful as possible without, on the other hand, producing results which would *unfavourably change the whole war situation.* This latter would be the case if, as happened in the last war, our use of the most extreme form of naval economic warfare resulted in the entry of the USA into the war against us." (p. 2)

"* * * The American Neutrality Law is a shackle for the most war-loving of American Presidents, one which presumably cannot be shaken off *so long as we do not provide him with the excuse to break this shackle and thus fulfill the dearest wish of the British!* The terms of the neutrality law however, are such that, *under them,* we could conduct a very intense naval economic war against Britain *without the fear of a conflict with the USA.* The final stage of intensification, perhaps not yet to be employed because of the USA, would not outweigh the risk of war with the USA. *This* could be justified only when our general war position is so strong and our naval resources for the economic warfare so formidable (either by our own strength or with Italian or Russian aid), that, even by their most severe employment, we could easily deal with such a *decisive result* as American aid to the enemy.

"Even if we are convinced that, should the war be of long duration, the USA will enter it in any case, * * * it must be our object to delay this event so long that American help would come too late." (pp. 3 & 4)

("Bemerkung zu der Denkschrift ueber die Verschaerfung des Seekrieges gegen England.")

III. *Extracts from documents contained in file: "B.d.U. Operations–befehle, 1939/42".*

A. *"Teil I".*
23.8.39.

From Operation Order No. 3 for Atlantic U-boats, (Operation order No. 3 for U-boats "Alarm practice North Sea") For U.26, U.53. The order is signed by Doenitz:

"VI. DUTIES OF U-BOATS AFTER THE OPENING OF HOSTILITIES WITH BRITAIN-FRANCE.

(*a*) Until the declaration of Danger zones:
Merchant shipping warfare according to the "New Draft of the Prize Regulations."

As long as the war against Merchant shipping is to be conducted in accordance with the Prize Regulations, the following ships are the main ones to be attacked, and these, even under these regulations, may be sunk without warning:

(1) Troop transports i.e. any vessels on which troops or war materials can be seen, or which can be identified as such in other ways.

(2) Vessels escorted by enemy warships or planes.

(3) Vessels taking part in actions, or directly supporting hostile operations i.e. by sending signals. It should be assumed that a merchant ship is taking part in an action, as soon as ever it prepares to offer resistance, or takes steps calculated to endanger the U-boat.

(*b*) Should danger zones be declared by Germany, at the outbreak of, or during the war, limitless merchant shipping warfare, i.e. attack without warning on all vessels encountered, will be permitted within those areas. None of our own surface craft will be within the areas of such danger zones, therefore unrestricted action will be yours in these specific areas.

(*c*) Attacks on enemy warships from Flotilla leaders upwards and submarines; destroyers only if the opportunities of firing are favourable and sure.

(*d*) Opportunities for attacks against merchant vessels will present themselves in area T on the merchant shipping routes from North America (Canada) to the northern outlet of the Irish Sea and the Clyde Harbour, and in area M on the merchant shipping routes from South America – Cape Verde Island – West coast of Africa.
In area M, French troop transports may also be expected.

(*e*) Open.

(*f*) Cooperation with neighbouring boats when important war targets are sighted (i.e. convoys, troop transports, steamships of importance). In such cases, boats in favourable positions may, and indeed must, leave their operational areas for the attack. Should only slight traffic be encountered in areas T, U, V, boats must cooperate even with less important targets.

(P. 4 of "Operationsbefehl Nr. 3 fuer U-boote Atlantik — Operations-befehl Nr. 3 fuer U-boote "Alarmuebung Nordsee". Füer U.36,53. 23.8.39)

24.8.39.

From Operation Order "North Sea No. 2" for the 3rd and 5th U-Flotillas, signed by Ibbeken (F.d.Ud West):

"(*b*) At the outbreak of hostilities with the Western Powers:

* * *

Attacks on warships (destroyers and upwards, and submarines) will be permitted.

Merchant shipping warfare will be conducted according to the "New Draft of the Prize Regulations".

Ships which may be sunk without warning are:

(*aa*) Merchant vessels sailing in convoy.

(*bb*) Vessels on which troops or war material can be seen.

Armament on merchant ships does not in itself justify sinking without warning. However, all resistance by merchant vessels is to be broken by every measure.

Action is to be taken only if the ship prepared to resist, or if the U-boat is considered to be in danger."

(P. 2. of "Operationsbefehl 'Nordsee Nr. 2' fuer 3. und 5. U-Flottille" dated 24 August 1939.)

10.9.39.

From Operation Order "North Sea No. 8" for U.15, U.24 signed by Doenitz:

"(*b*) *Duties of U.14, U.24.*

(1) Attacks on British surface vessels (destroyers and upwards, and submarines).

(2) Attacks on those merchant vessels which may be sunk without warning:"

(*a*)
(*b*) (see extract from Operation order No. 3 for Atlantic U-
(*c*) boats, sections a, b and c.)

"(*d*) No action to be taken against passenger ships.

(3) No merchant shipping warfare according to the Prize Regulations.

(4) Only defensive action should be taken against French war and merchant-ships. Incidents with France are to be avoided."

(P. 3 of "Operationsbefehl 'Nordsee Nr. 8' fuer U.14, U.24", dated 10.9.39.)

B. *"Teil II"*

From various Operation Orders "North Sea". All orders are signed by Doenitz:

5.10.39.

"III. *Orders for U.47.*

Instructions: * * *

(3) On the return journey: attack warships and those merchant ships which may be sunk without warning. These include enemy merchant ships definitely seen to be armed. Vessels sailing without lights are to be sunk without warning if they be encountered West of 3° East." (P. 3).

("Operationsbefehl 'Nordsee Nr. 16' (U.47)").

9.10.39.

"III. *Orders for U.19, U.24:*

(1) Instructions.

(*b*) On the outward journey (outside your operational area) and on the return journey, attack warships (destroyers only when opportunities for firing are sure) and those merchant ships which may be sunk without warning. (Off the coast of Britain, at night, *all* ships sailing without lights may be sunk without warning up to 3° West." (P. 3))

("Operationsbefehl 'Nordsee Nr. 17' (U.19, U.24)")

19.10.39.

"III. *Orders for U.60, U.61:*

(4) The war on merchant shipping in accordance with the Prize Regulations is permitted only north of 61°." (p. 2)

("Operationsbefehl 'Nordsee Nr. 21' fuer U.60, U.61.")

19.10.39.

"III. *Order for U.56, U.57, U.58, U.59:*

(4) The war on merchant shipping in accordance with the Prize Regulations is permitted west of the Fair-Island-Passage." (p. 2).

("Operationsbefehl 'Nordsee Nr. 20' fuer U.56, U.57, U.58, U.59.")

24.10.39.

"III. *Orders for U.13:*

(2) Instructions * * *

(*b*) Attack all ships which may be sunk without warning (see St.K.Befehl [Staendige Kriegsbefehl — Standing War Orders] Nos. 1 & 11 Sections 3 & 5). These include all merchant ships definitely recognised as enemy (not passenger ships); at night, also all ships sailing without lights west of 3° East." (p. 2–3)

("Operationsbefehl 'Nordsee Nr. 22' fuer U.13".)

24.11.39.

"IV. *Orders for U.21, U.56:*

(1) Instructions * * *

(*b*) Within the operational area, sink without warning *all* war and merchant-ships which are worth sinking.

(*c*) Outside the Operational area, attacks without warning are to be carried out in accordance with St.K.Befehl No. 18. This includes all armed enemy passenger ships also all tankers except those of Italy, Spain, America, Japan and Russia." (p. 3)

("Operationasbefehl 'Nordsee Nr. 30' fuer U.56, U.21")

29.11.40.

"III. *Orders for U.9:*

(1) Instructions * * *

(*c*) On the outward and the return journeys, attacks without warning are to be carried out in accordance with St. K.Befehl in accordance with verbal instructions." (p. 3)

("Operationsbefehl 'Nordsee Nr. 12' (Firth of Moray) fuer U.9.")

14.2.40.

"III. *Orders for U.13:*

(1) Instructions * * *

(*c*) War to be conducted in accordance with St.K.Befehl 101–172, and in accordance with verbal instructions * * *

(*f*) In certain cases, duties are to be carried out in accordance with Appendix 2 to the order in a sealed envelope, which may *on no account* fall into enemy hands." (p. 3).

("Operationsbefehl 'Nordsee Nr. 15'—Cross Sand—fuer U.13.")

8.4.40.

"III. *Orders for U.9, U.7:*

(1) Instructions * * *

(*a*) Until the issuing of the order "Execution of the War in accordance with St.K.Befehl is permitted," only enemy warships and enemy troop transports are to be attacked.

(*b*) After the issue of the above order, the war is to be conducted in accordance with St. K. Befehl." (p. 2)

("Operationsbefehl 'Nordsee Nr. 19' (Sued) fuer U.9, U.7.")

VI. *Extracts from the War Diary of Doenitz in his capacity as Befehlshaber (of Fuehrer) der Unterseeboote.*

From the War Diary of F.d.U. (Skl) for the period 15.8.39-15.9.39, signed by Doenitz, Kapitaen z. See und Kommodore:

24.8.39.

"1200. Telephone conversation between the duty Commander F.d.U. and Kplt. Fresdorf * * *

F.d.U. also requires that, when 'Danger Zones' are declared, the areas occupied by U-boats up to the present are not reduced. The limits of the 'Danger Zones' used in the exercises of 1938/1939—200 nautical miles west of Britain, are certainly not extensive enough.

1 Skl. (Fresdorf) replies at 1700 that the limits of the 'Danger Zones' have not yet been arranged and that the demands made by F.d.U. will be taken into consideration as far as possible." (p. 5)

3.9.39.

"Skl. sends a signal at 1400: 'War on merchant shipping to be carried out by U-boats in accordance with the Operation order.' Commanders can not doubt this, as, in the Operation order, it is expressly laid down that the war on merchant shipping be conducted in accordance with the Prize Regulations." (p. 16)

4.9.39.

"A further alteration of the dispositions is not yet being considered. So long as the convoy system is not fully in force and the war on merchant shipping is to be conducted in accordance with the Prize Regulations, the present dispositions are correct." (p. 17)

"The sinking of the 'Athenia' gives grounds for looking over once more the orders issued to date. A simple error in interpretation is not conceivable. But, so that nothing may be neglected to make the matter clear, attention is once more drawn, in wireless telegram 1655—'In the case of warfare on merchantmen, Operation Order, section VIa remain in force unaltered."—to the waging of warfare on merchantmen in accordance with prize regulations. (p. 18)

("Kriegstagebuch B.d.U. Op. 15.8—15.9.39" on cover. The above are from the second section of KTB, F.d.U. beginning 23.8.39.)

From the War Diary of F.d.U. for the period 16.9.–30.9.39, signed by Doenitz, Kapitaen z. See und Kommodore, Befehlshaber der Unterseeboote:

18.9.39.

"Then Ob.d.M. goes on to speak of the conduct of the war in general. He says he intends, before the declaration of unlimited danger zones, to propose the declaration of danger zones against British ships only (not neutral ships) as the next step in the intensification of the war at sea against Britain. He wishes to hear the opinion of F.d.U. on this subject.

My reply is that the execution of the War on merchant shipping in danger zones applying only to specific nations would, in my opinion, not produce the desired results:

(1) as the U-boat must be submerged to lie in wait for a suspicious steamer, and in most cases cannot identify the nationality of the ship in time to attack her without warning

(2) as the enemy will presumably carry on its merchant shipping traffic under the protection of neutral markings and flags.

The results would be:

(*a*) either that many neutral ships, by being presumed enemy, would be sunk without warning; this is just what we wish to avoid, or

(*b*) that many enemy ships would avoid being sunk by being presumed neutral; this is even less desirable." (pp. 3 & 4).

21.9.39.

"Skl sends the following order to F.d.U. by most secret teleprinter: that it is confirmed beyond all doubt that all attacks on French ships are avoided. This order excludes the possibility of employing U-boats in the Channel against troop transports. This disposition (U.35; see also War Diary of D.d.U. West) was the result of the order of Skl that attacks are permitted on convoys north of the latitude of Brest, if the escort consists of French forces. It can be definitely understood that these transports sail by night. At night, however, the U-boat has to be able to make sure that a ship, sailing without lights in convoy, is an enemy. By day, it is often impossible to ascertain the nationality of a ship sailing in convoy, even if she is not flying the flag of a different nation; by night, it is quite impossible. I have informed Skl that, if this order is to be obeyed, I cannot permit U-boats to operate in the channel. Skl is reserving the final decision concerning the attitude towards French ships and informed me by telephone through Kpt.z.S. Fricke that today's order is to be rescinded and the old order to remain in force; i.e. the risk is to be taken that French ships may be sunk without warning, if they sail in convoy north of the latitude of Brest." (p. 6)

23.9.39.

"It will be seen, from reports sent in by U-boats returned to base, that a great many steamships make use of their wireless after they are ordered to stop. As a result, aircraft appear over the position. In this way, steamships support the enemy action against the U-boat. I consider it necessary to operate by every means, and in this way to prevent steamships from taking part in the defensive action against the U-boat. I have asked Skl for a decision on this matter. The question of the attitude towards French ships is becoming more and more urgent in the present development of the war situation. (Troop transports, convoys)" (p. 8)

24.9.39.

"The most secret signal, 8027, gives the decision of the Naval War Staff on this matter: French ships are to be treated in the same way as are British ships. The order concerning passenger ships remains unchanged. Merchant ships, which make use of their wireless after they are ordered to stop, are to be fired on. They are to be brought back to port, or sunk." (p. 8)
("Kriegstagenbuch B.d.U. Op. 16.9.—30.9.1939" on cover.)

From the War Diary of B.d.U. for the period 1.10.–15.10.39, signed by Doenitz, Konteradmiral und Befehlshaber der Unterseeboote:

2.10.39.

"The Naval War Staff has declared an area around Britain, within which any ship sailing without lights may be attacked without warning. This order facilitates the work of U-boats to a great extent. The area, however, is narrow. The practical results of this order will, in all probability, be few. It has been announced, from the German side, that British merchant ships have several times attacked U-boats, which, in accordance with Prize Regulations, have ordered them to stop. It was added that, if this continues, German U-boats will have to employ counter measures. As a reply to this, the Admiralty sent orders to all British merchant ships to ram any German submarine sighted * * *

"A further order of the Naval War Staff reads: Ships to be considered as passenger ships are those which, in the opinion of the Commander, are built to accommodate more than 120 passengers. Explanations will be found in M.D.V. 87. The following may be taken as clues: a great number of boats—approx. more than 4 on each side of the ship—length and number of promenade decks, port-holes.

"The boats have been informed of both these orders.

"The term 'passenger ship' is very loose and its interpretation is left to the individual commander. It must be made clear that, in practice, more scope to the individual is given by the issue of this order, especially as the opportunities for observation are very limited in a submerged U-boat." (pp. 4 & 5)

4.10.39.

"In connection with the conduct of the war on merchant shipping, the following orders have been issued by the Naval War Staff:

(1) The area, in which unrestricted use of armament is allowed against vessels sailing without lights, is enlarged westwards up to 15° longitude.

(2) U-boats are allowed unrestricted use of armaments against enemy merchant ships, on which the presence of armament is definitely established, or which, according to concrete instructions from the Naval War Staff, are known to be armed. As far as circumstances permit, steps are to be taken for rescuing the crews when there is no possibility of the U-boat being in danger. Passenger ships which are not troop transports are, as before, *NOT* to be attacked even if they are armed. Both orders constitute a considerable advance in the prosecution of the war. They effect the essence of the U-boat attacks and increase their prospects." (p. 6)

(Kriegstagebuch B.d.U. 1.—15.10.1939.)

From the War Diary of B.d.U. for the period 16.10.–31.10.39 signed by Doenitz, Konteradmiral und Befehlshaber der Unterseeboote:

23.10.39.

"As in the last war, losses of U-boats on the surface are, in most cases caused by:

(1) The dangers to which the U-boat is exposed when conducting the war on merchant shipping in accordance with the Prize Regulations.

(2) The dangerous position of the U-boat when carrying on an artillery battle with an armed merchant ship. A hit can render the U-boat incapable of diving and cause her to be a sure victim to destroyers * * *

(3) Unexpected encounters with enemy, especially in bad weather * * *

(4) Possible unpreparedness on the part of the boat.

While the causes given in 3) and 4) can and must be met by the crew, the taking of prizes constitutes an extra danger and cause of losses which can be eradicated only:

(1) by the ceasing of prize-taking i.e. only those ships would be attacked which may be sunk without warning or

(2) by ordering limitless warfare,

In both cases, the U-boat would be forbidden the use of artillery

(*a*) to stop a steamship (or break her resistance)

(*b*) to sink a steamship." (p. 8-9)

"*The channel as an operational area.*

* * * The A/s defence is strongest in the Straits of Dover and north east of this line; better opportunities for attacks by U-boats are afforded in the more open section to the west. This presents a good operational area for U-boats, provided they can sink without warning. War on merchant shipping *in accordance with the Prize Regulations* cannot be considered here owing to the surveillance and the proximity of enemy bases." (p. 11)

27.10.39.

"On the grounds of the conclusions entered in the War Diary on 23.10. I have decided on the following orders for the purpose of limiting the number of our losses:

1. The boarding of a steamship, in order to carry out a search is not permitted.

2. The steamship is to be sunk only by torpedo, even when this is required by reason of the search (which consists now only of an examination of the papers), or after the breaking of resistance with artillery." (p. 15)

29.10.39.

"The Naval War Staff has ordered the unrestricted use of armament against passenger ships in enemy convoys." (p. 16)
("Kriegstagebuch B.d.U. 16.10.—30.10.1939.")

From the War Diary of B.d.U. for the period 16.11.–30.11.39

signed by Doenitz, Konteradmiral und Befehlshaber der Unterseeboote.

17.11.39.

"The order has been issued by SKL, that unrestricted use of armament is to be permitted against enemy passenger ships which are seen to be armed or are known to be armed. As most passenger ships are already armed, this is a distinct step forward in the conduct of the war. In practice, however, this seldom concerns any but those passenger ships whose armament can be seen by the boats. Only in very exceptional cases can commanders identify armament from written instructions issued to them owing to the fact that usually the type of ship can be established only a short time before a favourable firing position is gained. If lifts have to be referred to, to find out whether the ship is armed, further time is wasted. Once the ship has passed, the boat has to renew the chase; she must therefore be capable of a greater speed than the ship and, with passenger ships, this is not usually the case." (p. 3)

("Kriegstagebuch B.d.U. 16.11—30.11.1939.")

From the War Diary of B.d.U. for the period 1.—15.12.39, signed by Doenitz, Konteradmiral und Befehlshaber der Unterseeboote:

6.12.39.

"B.d.U. has requested of SKL. an extension of the areas in which ships sailing without lights may be sunk without warning. The following is desired:

(1) With regard to a recent report from U.38, before and within the Westfjord. In all probability, British steamships sail without lights in this area. Almost all are painted grey, so that their visibility be limited, and are armed.

(2) For U-boat operations in the Mediterranean and off the Portuguese coast. Reports from boats, returning from operations, show that steamships sailing without lights have been sighted there. From this, the question arose, what was the correct procedure. Legal measures of prize-taking are difficult and dangerous to the U-boat, especially near Gibralter.

The decision of the Naval War Staff is negative. The zone for U-boats cannot be extended, since German steamships, breaking through or returning home, have to be considered both on the Norwegian and Spanish coasts." (p. 7)

("Kriegstagebuch B.d.U. 1.—15.12.39.")

C–100

Appendix to German "Sink at Sight" Policy

Prize Regulations

This document deals mainly with procedure in the taking of prizes and in dealing with captured vessels.

The following extract is Article 18 of the Prize Regulations dated 28th August 1939, with amendments made on 12th September 1939. (A copy of the unamended Regulations is not available.)

"The decrees of the VIth Agreement of the Hague Convention concerning the treatment of enemy merchant shipping on the outbreak of war remain intact.

Note 1. The Agreement governs in particular the treatment of merchant ships, which are in enemy ports on the outbreak of hostilities. It has not been put into effect in the present war."

PARTIAL TRANSLATION OF DOCUMENT C–119

S.O. Only
Access only through an officer
Gp H.Qu. 13.3.40

Group XXI
O Qu/Qu 2 1/40 G.Kdos. Chefs.
From D-Day this instruction will be treated as secret.
Most Secret

138 Copies
90th Copy

This order may only be issued at the same time as the tactical instructions.

Special instructions on the attitude to be adopted in the occupation of Denmark and Norway

(A) General. (Deals with demarches to be made on D-Day vis-a-vis Danish and Norwegian governments.)

(B) Special Military Measures. (Lays down steps to be taken regarding Danish and Norwegian troops, ships, aircraft, etc.)

(C) Attitude towards Danish and Norwegian authorities. (Civil authorities, railways and police to continue to work. Communications to outside world to cease.)

(D) Economic Measures. (Lists German naval officers who are to see that Danish and Norwegian economic machine continues to work, and sets out the steps to be taken.)

(E) Other Measures. (Include treatment of enemy Legations,

etc., enemy nationals, Danish and Norwegian wireless, press, cable service, propaganda and justice.)

[signed] v. Falkenhorst

Checked
Col. Gen. Staff

Distribution:

Div Commanders	3 each	18
Infantry Brigade Commanders	1 each	18
Staff XXXI Army Corps		5
Division Commanders	3 each	9
Infantry Brigade Commanders	1 each	9
Work-Organization KNAUSS (L) together with Air Force Units		15
Work-Organization KRANCKE together with Command posts of the Navy		15
Main Headquarters (Lt/Col. WEINKNECHT		1
Army Administration Branch (Lt/Col. KOEHLER)		1
Supreme Command Armed Forces L. (Lt/Col. BOEHME)		3
Group XXI. Chief		1
Ia 1		1
Ia 2		1
Ic		1
IIa III	1 each	2
IVa IVb IVc 1 each IV W1—8		11
Commander of H.Q.		1
BV. Technical Officer, Signals-Commander 1 each		2
O.Qu., Qu 1, Qu 2, Qu 3		4
O.Qu. Reserve		20
	Copies	138

[Note:

In the following pages of the document the names of the complete staff of the German Embassy in Oslo are published, as well as the names of the staff of the Consulates and Honorary Consulates in Norway. This is followed by naming the Military Attachés of Denmark, Norway and Sweden, and the Norwegian and Danish Cabinet. In appendix three the constitution and history of Norway and Denmark are given in detail, in order to bring about an understanding with the population of these two countries once they have been taken over by Germany. Psychological reactions of the populations of Norway and Denmark are discussed in appendix four as is the way of treating these peoples, if good results are to be achieved.]

C–119

"Guiding principles for the attitude of troops in the occupied areas"

The Hague Convention for Land Warfare assures the population of an occupied country far-reaching protection by the occupying power. Above all, the honor and the rights of families, the life of the citizens and private property, as well as religious convictions and services must be respected. (Articles 46, 55 and 56 of the Hague Convention for Land Warfare.)

Fundamental principle for the troops: the greatest caution and most extreme reserve vis-a-vis the civil population! Inadvisable blind confidence can entail an endangering of the troops.

Firm cohesion, discipline among the troops, painstaking execution and superintendence of the required security measures are the best protection.

Only in the event of the civil population putting up a resistance or behaving rebelliously can the following decisions be carried out:

1. If the civilian population offers resistance or if attacks by the population on our troops or their lines of communications must be feared, the *arrest of hostages* should, on principle, be resorted to. Hostages should only be arrested on orders of a brigade commander, independent battalion commander or commander of equivalent rank.

The hostages should, if possible, be chosen from those circles of the population which are expected to carry out hostile acts.

When accommodating and feeding hostages it should be borne in mind that, although the hostages should be under the strictest guard, they are not imprisoned because of crimes.

Hostages and population are to be informed that the hostages will be shot at any sign of any hostile action. Previous sanction of the shooting by the Divisional Commander must, however, be obtained.

Should attacks on the troops or their lines of communication nonetheless occur, or signs of resistance make themselves apparent, the hostages are immediately to be moved under strict guard to a prisoners-collecting-camp (transport ticket). At the same time the Division is to forward with all speed a report about the occurrence and a proposal of the suggested measures (shooting or further detention).

2. Armed resistance by the civilian population is to be crushed by force of arms.

If danger is imminent, every commander is obliged to take all necessary measures.

The death penalty will be imposed for violence of any kind against the German Armed Forces or their members in the occupied territory.

Immediate trials will take place by Field Court Martial (Summary Court or ordinary Court Martial). The Regimental Commander can appoint the Summary Court which will be composed of 1 Captain, 1 Sergeant, 1 Corporal, hear witnesses and draw up the sentence in writing. The verdict will be the Death penalty if guilty, otherwise acquittal. The sentence will be executed immediately after confirmation by the Regimental Commander.

The following, among others, are to be considered as acts of violence: sabotage, destruction of our lines of communication, cutting of telephone wires, demolitions, etc.

In par. 3 of this document instructions relating to the treatment of "franc-tireurs" are given. Franc-tireurs are to be shot in battle or in flight. Those taken prisoners are to be treated not as prisoners of war but as criminals, and if found guilty by the Field Court Martial, are to be condemned to death and the sentence must be carried out by shooting immediately on confirmation by the Commander who has appointed the Court.

[Note:

Par. 4 lays down that looting will be very severely dealt with.

Par. 5 deals with measures of force to restore order.

Par. 6 declares that forced taxes are not to be collected.]

COPY OF DOCUMENT D–258

SWORN ON OATH BEFORE A MILITARY COURT

Essen, 17.9.1945.

REPORT

The requested investigation on the camp in HUMBOLDSTRASSE gave the following result:

The camp inmates were mostly Jewish women and girls from Hungary and Rumania. The camp inmates were brought to Essen at the beginning of 1944 and were put to work at Krupps. The accommodation and feeding of the camp prisoners were beneath all dignity. At first, the prisoners were accommodated in simple wooden huts. These huts were burned down during an air-raid and from that time on the prisoners had to sleep in a damp cellar. Their beds were made on the floor and consisted of a straw-filled sack and 2 blankets. In most cases it was not possible for the prisoners to wash themselves daily, as there was no water. There was no possibility of having a bath. I could often observe from the Krupps factory during the lunch break how the prisoners boiled their underclothing in an old bucket or container over a wood fire and cleaned themselves. A slit trench served as an air-raid shelter, whilst the SS guards went to the HUMBOLDT shelter which was bomb-proof. Reveille was at 5 a.m. There was no coffee or any food served in the morning. They marched off to the factory at 5.15 a.m. They marched for ¾ hrs. to the factory poorly clothed and badly shod, some without shoes, and covered with a blanket, by rain or snow. Work began at 6 a.m., lunch break was from 12 to 12.30. Only during the break was it at all possible for the prisoners to cook something for themselves from potato peelings and other garbage. The daily working period was one of 10 to 11 hours. Although the prisoners were completely under-nourished, their work was very heavy physically. The prisoners were often maltreated at their work benches by Nazi overseers and female SS guards. At 5 or 6 in the afternoon they were marched back to the camp. The accompanying guards consisted of female SS who, in spite of protests from the civil population, often maltreated the prisoners on the way back by kicks, blows and scarcely repeatable words. It often happened that individual women or girls had to be carried back to the camp by their comrades owing to exhaustion. At 6 or 7 p.m. these exhausted people arrived back in camp. Then the real midday meal was distributed. This consisted of cabbage soup. This was followed by the evening meal of water soup and a piece of bread which was for the following day. Occasionally the food on Sundays was better. An inspection of the camp as long as it existed was never undertaken by the firm of Krupp. On 13th March 1945, the camp prisoners were brought to Buchenwald Concentration Camp and from there some were sent to work. The camp commandant was SS Oberscharfuehrer RICK. His present whereabouts are unknown but inquiries should bring results. RICK often made Jewesses kneel in the snow and rain on the camp square according to his whims.

The commandant's deputy SS Unterscharfuehrer KERKMANN of Essen, who, formerly had a paper and art shop near the Minister in Essen, in the Bergstrasse, is now known as ZWOELFLING. Further inquiries must be instigated.

[signed] Hubert KARDEN.

Kriminalassistent on probation.
TREES.
[Stamp] C. E. LONG, Major
President.

Copy

Boiler Making Shop.
25 Feb 1942.

Herr HUPE via Herr WINTERS
" " SCHMIDT

I received the enclosed letter of the 18th of this month, from the German Labour Front (sent to my private address) inviting me to the Office of the German Labour Front, 61 Steubenstr., room No. 20 for Friday the 20th of this month. On the 20th February between 8 and 9 o'clock, I tried to complete the business, which I did not know about, by telephone. The answer from the German Labour Front was that the matter was very important and demanded my personal appearance. Thereupon I asked Mr. Jungerich, of the Department for social labor matters whether I had to go. He answered "You probably don't have to but it would be better if you went." About 9.50 I went round to room 20 at this place and met Herr Prior.

The following event provided the cause for this conversation, which Herr Prior carried on in a very lively manner and which lasted about half an hour:

On the 16th inst, 23 Russian Ps.W. were assigned to No. 23 Boiler Shop. The people came in the morning without bread and tools. During both breaks the Ps.W. crept up to the German workers and begged for bread, pitifully pointing out their hunger. (At the first midday, the works had the opportunity of distributing the food which remained over from the French Ps.W., amongst the Russians.) In order to alleviate these conditions, I went to the Weidkamp kitchen on the 17th on instructions from Herr Theile and talked to the head of the kitchen, Fraulein Block, about the provision of the midday meal. Fraulein Block promised me the food immediately and also lent me the 22 sets of eating utensils which I asked for.

At the same time I asked Fraulein Block to give any food left over by the 800 Dutchmen messing there to our Russian Ps.W. at midday till further notice. Frl. Block promised to do this too and the following midday she sent down a container of milk soup, as an extra. The following midday the ration was short in quantity. Since a few Russians had collapsed already, I telephoned Fraulein Block and asked for an increase in the food as the special ration had ceased from the second day onwards. As my telephone conversation was unsuccessful, I again visited Frl. B. personally. Frl. Block refused in a very abrupt manner to give any further special ration.

Now, regarding the discussion in detail. Herr Prior, 2 other gentlemen of the D.A.F. and Frl. Block, head of the Weidkamp Kitchen, were present in the room. Herr Prior commenced and accused me, gesticulating in a very insulting manner, saying that I had taken the part of the Bolsheviks in too apparent a way. He referred to the Law paragraphs of the Reich government which spoke against it. I was unfortunately not clear about the legal position, otherwise I would have left the conference room immediately. I then tried to make it clear to Herr Prior, with special emphasis, that the Russian Ps.W. were assigned to us as workers and not as Bolsheviks. The people were starved and were not in a position to perform the heavy work with us in boiler making which they were supposed to do. Sick people are a liability to us and not a help to production. To this remark, Herr Prior stated that if one was worth nothing then another was, that the Bolsheviks were soulless people and if 100,000 of them died another 100,000 would replace them. On my remarking that with such a coming and going we would not attain our goal, namely the delivery of locomotives to the Reich railways which were continually cutting down the time limit, Herr Prior said "Deliveries are only of secondary importance here."

My attempts to get Herr Prior to understand our economic needs were not successful. In closing, I can only say that, as a German, I know our relations to the Russian Ps.W. exactly and in the a/m case I dealt only on behalf of my superiors and in the sense of the increase in production which is demanded from us.

[signed] SOEHLING.
Office chief, Locomotive Construction Works.

I have the following to add to the above letter: After the Russian Ps.W. had been assigned to us on the 16th of this month by Labour Supply, I got in touch with Dr. Lehmann immediately about their food. I learned from him that the prisoners received 300 gr. of bread each between 4 a.m. and 5 a.m. I pointed out that it was impossible to last until 1800 hrs. on this ration of bread, whereupon Dr. Lehmann said that the Russians must not be allowed to get used to the Western Europe feeding. I replied that the Ps.W. could not do the work required of them in the Boiler Construction Shop on that food and that it was not practical for us to have these people in the works any longer under such conditions. At the same time I demanded that if the Russians continued to be employed, they should be given a hot midday meal and that if possible the bread ration should be split so that one half was distributed early in the morning and the second half during our breakfast break. My suggestion has already been carried out by us with the French Ps.W. and has proved to be very practical and good.

Unfortunately, however, Dr. Lehmann took no notice of my suggestion and on this account I naturally had to take matters into my own hands and therefore told Herr Soehling to get the feeding of the Russian Ps.W. organized on exactly the same lines as French Ps.W. so that the Russians could as soon as possible carry out the work they were supposed to do. For the whole thing concerns an increase in production such as is demanded from us by the Minister of Munitions and Armaments and by the D.A.F.

[signed] THEILE.

TRANSLATION OF DOCUMENT D-398

27 September 1945

SWORN STATEMENT

I, Alors HOEFER, living in Essen Borbeck Heckelsberg 15, born 28.9.06, make the following statement voluntarily:

I worked with Lowenkamp in armor building shop No. 4 since April 1943. Lowenkamp was very brutal to the foreigners. He confiscated food which belonged to the PsW. and took it home. Every day he mishandled Eastern workers, Russian Ps.W., French, Italian, and other foreign civilian persons. He had a steel box built which was so small that one could hardly stand in it. He locked foreigners in the box, also females up to 48 hours without giving the people food. They were not released in order to relieve nature. It was forbidden for other people either to give any help to the persons locked in, or release them. Whilst clearing an unofficial camp, he fired on fleeing Russian civilians without hitting any of them.

One day whilst distributing food, I saw how he hit a French civilian in the face with a ladle and made his face bleed. Further, he delivered Russian girls without bothering about the children afterwards. There was never any milk for them so the Russians had to nourish the children with sugar water. When Lowenkamp was arrested he wrote 2 letters and sent them to me via his wife. He tried to make out that he had never hit people.

As a punishment for small things the rations of the male and female persons were withheld. There are a lot of single cases which for the moment do not occur to me.

Lowenkamp's deputy Camp Comdt. who was also the deputy shop steward, Willi Gerlach (known to the foreigners as "Long Willy") was also a brutal person. He did not lock one and two people but four in the above mentioned steel boxes. When on night watch and we appeared in the camp, he opened the steel cupboard and four people came into view whose faces were bleeding from wounds. At night he often used to fire in the camp compound without having any special reason.

One morning I was ordered to distribute work to the girls when one of them came to me and excused herself saying that she could not travel to the kitchen as she had broken shoes. I told the girl that she could go with us another time. At this moment Gerlach appeared, caught hold of the girl and locked her in the steel cupboard saying "Have you Bolsheviks anything to say now?" This was Saturday morning; the girl had to stay in the cupboard until Monday evening. When I stood up for this case I was threatened with a firearm.

The whole gang fled 3 or 4 days before the Americans arrived. Then Gerlach came to me and ordered that the foreigners must be evacuated and therefore got ready to march. Suddenly Gerlach saw a Russian P.W. in civilian clothing who immediately made himself scarce. Gerlach yelled to Gettler to help him search for the Russian immediately and shoot him. Anyway the Russian was not found. Gerlach also had Russian food rations brought round to his house which he had withheld from the foreigners.

He also has many single cases on his conscience which do not occur to me at the moment.

All this was carried out by Lowenkamp as Camp Comdt. and Gerlach as deputy Camp Comdt. and the works management, who today don't want to know anything about the whole matter, allowed it. (Works Manager Anhenn.)

[signed] Alors Hoefer

J.W.L. Rathborne. Major President
[Stamp
Mil Gov
Essen]

Secret
Army General Staff
Abt. 2. b.V. (o Qu IV)
No. 6/12/39 secret
[Stamped:]
C i C Army
C in C Army 1457/39
secret 5/12

[green pencil note:]
O.Qu IV. wanted to make a complete report on that. 5/12
2nd Dec. 1939.

7/12/39
sent to
Major Grossmith [pencil note.]
as well as O Qu. IV

Subject: Internal situation in the Warthegau [Western Poland incorporated into the Reich]

Enclosed we send a copy of a report of the District Military Command XXI with the request that you note and observe it.

Signature [illegible]

I enclosure (bound)
Distribution:
Adjutant of the Army High Command.
Adjutant of the Chief of Army General Staff.
O Qu.I
G.Z.
Operational Department.
Organizational Department.
Quartermaster General.
Draft.

Copy

Berlin, 30 Nov. 39.

Secret
High Command of the Army
Chief of Army armaments and
Commander in Chief of the Reserve Army
A h A/Group C in C Reserve Army (II) No. 66/39 secret.

Reference: District Military Command XXI.
Intelligence officer 86/39 secret of the 23/11/39
Subject: Internal situation in Warthegau.

To the OKW for information Army General Staff (Abt .Z.bV. O Qu IV).

Enclosed please find a copy of a report of the District Military Command XXI. Clear administrative conditions and a treatment of the population which, while deliberately severe, should however be exercised in a way which is bearable for and within the comprehension of the German part of the population and the troops, are preliminary conditions for a genuine state authority. If that does not happen, there is a danger that, to guarantee order, military forces will be tied up to an extent which does not accord with our general situation.

By order
1 enclosure.

[signed]
signature

Copy of Copy

Posen, 23.11.1939.

Army District Command XXI.
Intelligence Officer 86/39 secret.
Secret

To the C in C of the Reserve Army.

The Warthegau can be regarded as pacified. Repeated rumors of rebellion have not been confined in any instance. The reason for this is not a change of heart of the Polish population but the realization of the hopelessness of a rebellion. That the large numbers of discharged prisoners and other returned Polish soldiers represent a danger which requires continuous supervision is not overlooked, particularly as numerous offices have not yet been seized. The keeping down of this danger is *only* possible through the military occupation of the country in its present form; the civil administration authorities with the available police forces are totally unable to do this.

The great work of construction in all spheres is not furthered by the intervention of SS formations who are given special racial political tasks and are not subordinate to Reich Governor in this. Here the tendency makes itself felt of interfering decisively in all spheres of administration beyond the framework of these tasks, and of forming a "state within the state." *This phenomenon does not fail to have its effect on the troops, who are indignant about the* *ways the tasks are carried out and thereby generally get into opposition to administration and party.* I shall exclude the danger of serious differences by strict orders. The fact that this makes a serious demand on the discipline of the troops cannot be dismissed without further ado.

In almost all large towns, public shootings have been carried out by the organizations mentioned in this, the selection varied enormously and was often incomprehensible, the way it was carried out, frequently unworthy.

In some districts all the Polish estate owners were arrested and interned with their families. *Arrests were almost always accompanied by looting.*

In the towns, evacuations were carried out, during which blocks of houses were cleared at random, the inhabitants loaded onto lorries at night, then taken to concentration camps. Here also *looting* was *a constant accompanying phenomenon.* The quartering and feeding in the camps was such that the Corps Chief Medical Officer feared the outbreak of epidemics and thus endangering of the troops. As a result of my protests, relief is being given.

In several towns actions against the Jews were carried out which turned into the most serious excesses. *In Turok three SS cars under the leadership of a higher SS leader drove through the streets, on the 30.10.39 while the people in the streets were hit on the heads at random with horse whips and long whips. Amongst the victims were also people of German blood.* Finally a number of Jews were driven into the synagogue, there had to crawl in between the benches whilst singing, during which time they were continuously whipped by the SS men. They were then forced to take down their trousers in order to be hit on the bare behind. A Jew who out of fright had dirtied his trousers was forced to smear the excrement into the faces of the other Jews.

In Lodz it has become known confidentially that SS Oberfuehrer Molhorm has issued the following orders:

(1) From the 9.11., no unemployment relief may any longer be paid to Poles and Jews, only forced labor is paid for. (This measure has already been confirmed.)

(2) From 9.11., Jews and Poles will be excluded from the distribution of ration foodstuffs and coal.

(3) Unrest and incidents are to be created by provocation in order to facilitate the carrying out of the racial political work.

(4) The fire service is to be reinforced immediately in order to prevent undesirable spreading to other objects in case of chance fires in Jewish and Polish residential quarters and factories.

(The measures under (2) and (4) have not been confirmed yet).

Whilst the achievements of the Armed Forces are always placed in the foreground by the Reichs governor in speeches and demonstrations, the above mentioned circles, on the other hand, are unmistakably showing a tendency to diminish and denigrate these achievements. A specially crass case in this direction reported to me from Ostrowo from a victory celebration on the 5th Nov. 1939 *Reichs speaker* Bachmann spoke there. He never mentioned the Wehrmacht at all, when speaking about the Polish campaign. He only mentioned the Wehrmacht in one sentence, which concerned the war against England.

When speaking about the number of deaths, only the murdered racial Germans were mentioned, but not one word was spoken in memory of the soldiers who fell.

Only the racial Germans were acknowledged, so that the listeners were bound to get the impression that the Wehrmacht had actually not been concerned at all in the liberation.

This impression was strengthened when the speaker said that it had not been a war against Poland, but the Fuehrer had only ordered that the Poles should have the weapons taken away from them which were delivered by England and France and which they would not know how to use anyhow.

One got the impression that it was the speaker's aim not to allow any respect for the army to arise the German population.

The impression that this speech, that the guard of honor which had been provided, listened to, made on the soldiers was of a corresponding nature.

As the military commander of Posen has already reported to the High Command of the army, the men feel very strongly about the disproportion between their pay and the many times higher daily rate of pay of other formations.

The above mentioned facts lie in fields which for the most part escape direct intervention of the Reich governor. The removal of this grievance can only be obtained through higher quarters. I believe I am not wrong in assuming that the very welcome support would thereby be given to the Reich governor in his task of reconstruction which he has embarked upon systematically, energetically and tactfully.

[signed] Detzel
General of Artillery

Certified correct copy:
[signature illegible].
Lieutenant-Colonel in the General Staff.

Memorandum:

The Chief of the Army Judiciary announces by telephone:

The Field Court Martial of the Kempf Armored Division has sentenced an SS man of the SS Artillery Regt. *to three years imprisonment* and a military police sergeant major *to 9 years penal servitude for manslaughter.*

After about 50 Jews, who had been used during the day to repair a bridge, had finished their work in the evening, these two men drove them all into a synagogue and shot them all *without any reason.*

The sentence is submitted to the Commander-in-Chief of the 3rd Army for confirmation.

The proposal of the representative of the prosecution is *capital punishment for murder.* Sentence on the day after the act.

[Initials]

[Marginal Note]
Gen. Halder requests information on the decision of the C in C of the 3rd Army.
[Purple pencil notes]
To the Adj. of the Commander-in-Chief of the Army.
Gr III Grunther.
(Initials) 13/5
[Lead pencil notes:]
Both were SS.
14.9.39.
Chief of Gen. St. of the Army
[signed] Ruttsgabe H 14/9.
with a request to the Adj. of the C in C of the Army. By Order (signature) Radke.

COPY

Teleprint Message.
++ HDIH 403 14.9.39 1905
To the Court Martial Chief Counsellor with the Quartermaster General in Berlin. W.35. Tirpitzufer 72–76.
Reference—Az. 480 Quartermaster General Roem three Staff of the Army No. 1204/39.

Extenuating circumstances were allowed in the case of Stormtrooper ERNST, who was induced to participate in the shooting by an N.C.O. who handed him a rifle. His nerves were strained because of the many atrocities of the Poles against the Germans. Being an SS man, the sight of the Jews brought out in him very strongly his resentment of the anti-German attitude of Jewry: thus he acted with youthful recklessness and quite spontaneously. Good soldier—clean record.

Court Martial Chief Counsellor.
Certified correct.
Lipski
Court Martial Counsellor.

[Pencil note]
To the Adjutant,
Supreme Commander of the Army
Quartermaster General (III)
15/9

[Pencil note]
Telephone message from Court Martial Chief Counsellor Dr. Jaffmann, that as far as is known, the Chief of the Army High Command will not confirm the two sentences.

[Pencil note]
Conclusion: *Sentences have come under Amnesty.*
Sentences were pronounced prior to Amnesty.
9 years penal servitude for the military police sergeant commuted to 3 years imprisonment.
3 years imprisonment for SS Trooper—no change.
Confirmed by the Army High Command.

TRANSLATION OF DOCUMENT D–524

[Document consists of a booklet of diagrams, with explanatory texts on left-hand pages—even numbered.]

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PREFACE

In the following diagrams an attempt is made to illustrate roughly the contribution towards the war economy by the military government so far achieved from the French area (namely from occupied Northern France as well as from Southern France). How big the contributions of the French territory are is unknown to the outsider, but it is also for the most part little known to the members of the Military Government. This pamphlet is to provide information here and to combine the available material into a general picture.

The diagrams are mainly based on the figures received by the military government in France as well as on date of the official German Reich statistics which, however, often had to be supplemented by estimates. Owing to the multitude of practical tasks to be solved, and owing to the inadequacy of the French statistics which were found, the aims of the military government had to be directed primarily towards acquiring the statistical figures necessary for the daily tasks. Even if this material does not permit of a full elucidation of the whole of French economy, it yet suffices to illustrate the great contribution of the French area to many branches of war economy.

The chief of the Military Government
Ministerial Director Dr. Michel

Paris, April 1944.

1. Review of the French contribution

The total French contribution is composed of balanced and additional contributions.

The payments from the occupation costs account and from the French clearing credit account give a complete picture of the former. It reached the sum of about 30, 5 milliard Reichsmarks at the end of 1943. It comprises particularly also the other purchases which are easy to get hold of, but are not insignificant, made by the individual German soldiers who defray them, from their Army pay or from money sent from home.

The increase of the contributions expressed in *money values* is greater than the increase in the quantities supplied, owing to the increased prices since 1940. Purchases on the black market are the most decisive factor in the excessive increase in values.

The additional contributions which are not balanced comprise above all booty goods and provision of billets. Also the contribution made by the PWs and civilian workers working in Germany appears only to the extent of the permitted transfer of wages in a balance based on values. The amount of additional contributions is considerable.

Balanced French contributions in millions of RM.

Period	Payments from the Occupation costs account	Increase of the French clearing credit account	Total
1940 3rd quarter	249	..	249
4th quarter	1 510	43	1 553
Year 1940	1 759	43	1 802
1941 1st quarter	1 208	76	1 284
2nd quarter	1 295	146	1 441
3rd quarter	1 331	262	1 593
4th quarter	1 253	327	1 580
Year 1941	5 087	811	5 898
1942 1st quarter	1 657	409	2 066
2nd quarter	1 812	336	2 148
3rd quarter	2 209	480	2 689
4th quarter	2 194	555	2 749
Year 1942	7 872	1 780	9 652
1943 1st quarter	2 645	769	3 414
2nd quarter	2 240	908	3 148
3rd quarter	2 418	845	3 263
4th quarter	2 495	793	3 288
Year 1943	9 798	3 315	13 113
1940-43	24 516	5 949	30 465

2. Employment of French Labor

There are no current employment statistics covering all branches of economy and all groups of employed. The *total figure* of the existing manpower therefore had to be worked out roughly from old data. This computation was limited to men between 18–50 years of age, because this age group comes primarily into consideration for turning over to Germany. (It does not comprise the departments Nord and Pas de Calais.)

Of the number of French men, there were employed:

	In Germany and France together	In France only
For Germany:		
Directly	2 578 000= 37%	1 378 000= 24%
Indirectly	1 387 000= 20%	1 387 000= 24%
Total	3 965 000= 57%	2 765 000= 48%
For France	3 008 000= 43%	3 008 000= 52%
Grand Total	6 973 000=100%	5 773 000=100%

The number of workers employed *directly for Germany* is known only as far as some of the specified groups are concerned.

As far as the other groups go, estimates had to be made which are in general based on the ratio of the total output to what is used for German purposes. The number of workers employed *indirectly for Germany* could be estimated only roughly as a minimum figure, because the indirect efforts of an order are extraordinarily ramified and impossible to show in statistics.

It would in principle have to comprise all labor working for the maintenance of the living conditions (namely for feeding, clothing, heating, lighting, etc.) of the persons who work for German interests. Thus, for example, not only the feeding of the workers who are working directly for Germany but also the feeding of all those who are working indirectly for Germany has here to be regarded as an indirect contribution of agriculture. The number of the indirectly employed persons depends further on the quantity of goods which are considered necessary for the maintenance of the living conditions and working fitness of the persons who are working for Germany.

In order not to go too high, the estimate was limited to the first branches of the ramification, since to follow all the ramifications, with all their repercussions on other branches of economy, can easily lead to an increase in the number of persons employed indirectly, which it would be hard to keep a check on and which would be like a snow ball. On principle, however it was assumed that in living conditions is included also the maintenance of the workers family.

3. Foreign Labor in the German Reich according to nationalities

The Frenchmen employed within the Reich represented more than a quarter of all foreign *male labor* working in Germany in the autumn of 1943. They are thus the biggest group, more numerous than the Eastern workers and the Soviet Prisoners of War and larger than the Polish group.

Amongst the foreign *female workers,* the French women form the third largest group. Their number is however considerably smaller than those of Eastern and Polish women workers.

The employment of foreign Labor in German Economy

Autumn 1943

Numbers in thousands

From	Men[1] Civilians	Prisoners of war	Total number	%	Women[1] number	%
France	605	736	1341	26.3	44	2.6
Soviet Union ..	817	496	1313	23.8	899	52.4
Poland	1094	29	1123	22.0	527	30.7
Belgium	195	53	248	4.9	33	1.9
Protectorate ...	244	..	244	4.8	42	2.5
Holland	236	..	236	4.6	20	1.2
Serbia	34	94	128	2.5	11	0.7
Italy	103	..	103	2.0	14	0.8
Other countries	303	54	357	7.1	124	7.2
Total	3631	1462	5093	100.0	1714	100.0

[1] Including the prisoners of war turned into civilian workers, unemployed and persons of uncertain whereabouts.

4. The contribution of French agriculture

Among the manifold agricultural products that France is producing for German consumption, the following were the principal ones in 1942/43 according to their *value in Reichsmarks.*

Value in millions of Reichsmarks

Meat	285	Butter	56	Wine	30
Cereals for bread	134	Alcohol	49	Potatoes	25
Cereals for fodder	100	Seeds	33	Vegetables	24
Horses	70	Fruit	32	Hay	18

Calculating the foodstuffs in terms of the *value of cereals* shows the great importance of the deliveries of cereals and meat. The French contribution to the German supplies of cereals for bread is illustrated in greater detail in illustration 6.

Apart from the direct obtainment for German purposes, further considerable qualities of agricultural products serve as food for the French people working directly or indirectly in the interests of Germany.

* * * * * * *

6. France's contribution to Germany's supply of cereals for bread

Before the war, French consumption had at its disposal, in addition to its own harvest, an import surplus.

Today France delivers for German purposes approximately 17 percent of the quantities available for consumption (Harvest excluding seeds and wastage) out of a harvest which is lower because of the war. The quantity remaining for supplying the French with cereals for bread amounted in the harvest year of 1942/43 to

approximately two thirds of the quantity available in 1935/38 on an average or

approximately half of that in 1938.

The quantity of cereals for bread delivered to Germany out of what was raised in France, comprised 46 percent of German imports. France is therefore by far Germany's most important supplier of cereals for bread.

Reckoned in terms of the normal consumer's bread ration,

The total quantity of cereals for bread raised by France represented in 1942/43 6.2 million yearly rations

The quantities delivered to the Reich 4.1 million yearly rations.

7. The contribution of the French forestry industry

The felling of timber of all kinds in France reached approximately 24 million sq. metres, in the last years, i.e. approximating the same quantity of timber as was cut down in the Reich proper before the war. The fellings for the Black market and for private use in the country, for which statistics are not available, are not included in these figures. To this must be added the amount cut down for military purposes by units of the German Armed Forces and German authorities, which may be estimated for 1943 at between 300 000 and 400 000 sq. metres.

The French forest industry supplies approximately 80 percent of its production excluding firewood to the German war economy, directly and indirectly.

The main types delivered direct to Germany in quantities increasing year by year:

	1942 in 1,000	*1943*
Cut Timber	2,741	3,549
Charcoal	734	1,113
Beams for building	407	511
Wood for wood burning cars	94	308
Sleepers	129	252
Parquet and planks	175	224
Masts and poles	41	163
In addition Firewood	272	333

The demands for direct German war requirements were fulfilled 100 percent, at the expense of French requirements which had to be satisfied with ever decreasing allocation quotas.

An extraordinarily high proportion of the quotas for French stove-timber requirements benefits the German War economy *indirectly.* The pit props, the sleepers allotted to the French railways and the solid fuel allotted to French transport are utilized to a very great extent in the German interests. In addition large quantities of cut timber and planks have been utilized for barrack building and for other German orders; also a large part of the packing-case wood, and the wood for paper and for tanning are used for German purposes.

8. The contribution of French Industrial economy

It is a particularly difficult problem to give statistically a conception of the contributions of French industry to German purposes. Estimates based on the industrial reports instituted on the German model—which actually do not extend to the production of the building industry, the food and luxury food industry, the aircraft industry and a part of the iron producing industry—reach the conclusion that direct deliveries to Germany are continuously increasing.

The increase in production expressed in value, is actually greater than the increase in the quantities delivered, owing to the increase in prices which has taken place since 1940.

As the French Central Orders Office's statistics about deliveries to Germany show, the building industry provides nearly half the production for the German account and the aircraft industry about 5 percent in spite of everything. If one adds to the figures in the Industrial reports an estimate of the missing branches of industry, the result shows that in the second half of 1943, *the German share of French industrial production amounted to approximately 50 percent.*

* * * * * * *

12. Contributions of French Transport

Railways.

The available stock of steam locomotives in France fell in 1943 to about half of the prewar number owing to the handing over to Germany of about 4,300 locomotives, to scrapping, destruction and falling out of commission.

The *wagon park* also contained in 1943 only a little more than half (58 percent) the prewar number.

Transportation in the German interests (Wehrmacht transportation and program goods "priority A") made greater and greater demands on the total transport supplied. The German share amounted to

December 1941	66%
December 1942	83%
January 1944	85%

Inland Water Transport.

It was possible to increase the transportation provided by French inland shipping constantly. In 1943 about half of all transport was used in the German interests, namely:

	In 1,000 ton loads
Building materials (Todt Organization, Air force etc.)	5,000
Coal	4,800
Ores	650
Sugar-beet	600
Wheat	150
Oats	120
Limestone	100
Other goods (Straw, Chalk, Bauxite, Wood, Liquid fuel, etc.)	240
Total in the German interests	11,660 = 49%
Total in the French interests	11,995 = 51%
Grand total	23,655 = 100%

Weekly transport performance according to groups requiring services.

(Figures in 1,000 ton loads)

Groups	Dec. 41 Figure	%	July 42 Figure	%	Dec. 42 Figure	%	July 43 Figure	%	Jan. 44 Figure	%
Armed forces	320	16	460	21	510	25	590	29	560	33
Programme goods	1,040	50	1,080	49	1,160	58	780	39	880	52
Chiefly in the German interests	1,360	66	1,540	70	1,670	83	1,370	68	1,440	85
Service goods	150	7	160	7	160	8	150	7	170	10
Priority goods	320	15	270	12	120	6	260	13	70	4
Other goods	240	12	250	11	50	3	240	12	10	1
Chiefly in the French interests	710	34	680	30	330	17	650	32	250	15
Total	2,070	100	2,220	100	2,000	100	2,020	100	1,690	100

In the months of February to April 1944 the weekly transport performance dropped to an extraordinarily great extent, but at the same time the proportion of goods carried in the German interests rose at the cost of the French share.

13. France's Share in German Foreign Trade

France's contributions to the German economy are steadily on the increase if seasonal fluctuations are disregarded. In the first quarter of 1943 about 19 percent of German imports came from France.

German deliveries to France in exchange which are often necessary for carrying out the orders transferred to France, are also increasing. France's share of German exports amounted in the third quarter of 1943 to about 6 percent.

German economy thus received from France considerably more than Germany herself delivered to France. German foreign trade statistics do not include her deliveries to German Wehrmacht and other authorities which must be estimated as additional imports from France.

France's Share in German Foreign Trade

	IMPORTS			EXPORTS			
	Total in mill. RM	from France mill. RM	%	Total in mill. RM	to France mill. RM	%	Excess of imports from France mill. RM
1941							
1st Quarter	1,469	124	8.4	1,566	36	2.3	88
2nd Quarter	1,827	186	10.2	1,767	66	3.7	120
3rd Quarter	1,796	204	11.4	1,714	89	5.2	115
4th Quarter	1,839	238	12.9	1,795	124	6.9	114
1942							
1st Quarter	1,461	204	14.0	1,382	97	7.0	107
2nd Quarter	2,122	325	15.3	1,953	150	7.7	175
3rd Quarter	2,267	382	16.9	2,100	157	7.5	225
4th Quarter	2,842	493	17.3	2,125	142	6.7	351
1943							
1st Quarter	2,180	365	16.7	2,080	159	7.6	206
2nd Quarter	2,505	390	15.6	2,496	152	6.1	248
3rd Quarter	1,772	330	18.6	2,019	127	6.3	203

14. France's Place in German Foreign Trade, 1935/38 and 1942

When deliveries and return deliveries in foreign trade with different countries are compared with one another, the importance of individual countries for German imports and exports has changed almost completely since prewar times. In 1942 France was far in the lead of the countries from which Germany received more than she sent to. The Southeastern European countries, which were before the war the chief exporters to Germany, have dropped considerably behind. The drop in deliveries is indeed partly to be attributed to the unfavorable harvests in these countries.

In 1942

The Excess of imports amounted to:		The Excess of Exports amounted to:	
FROM	*MILL RM*	*TO*	*MILL RM*
France	858	Bulgaria	3
Belgium	412	Turkey	9
Holland	324	Sweden	13
Occupied Territories	325	Slovakia	25
Hungary	110	Denmark	50
Serbia	77	Croatia	100
Portugal	72	Norway	130
Greece	71	Finland	222
Spain	47	Government General	244
Switzerland	26	Italy	283
		Rumania	287

15. France's Place in German Foreign Trade in 1942 according to groups of goods

As a source of supply of food and luxury food items for German *food economy,* France occupied in 1942 the second place after Italy and has since undoubtedly become Germany's most important supplier of foodstuffs. The most important commodities imported from France are the following:

Food industry total —		352.4 Mill. R.M.
of this	Wines	118.7 Mill. R.M.
	Wheat	70.9 " "
	Cattle, alive	44.7 " "
	Meat	23.8 " "
	Fruit	20.8 " "
	Vegetable oils	19.2 " "

As a supplier of *raw materials* too, France occupied in 1942 by far the leading place. The following goods were chiefly supplied:

Raw materials, total —	171.0 Mill. R.M.
of these iron ore	46.0 " "

Furs and Hides	42.9	"	"
Wool and animal hair	15.1	"	"
Resins	10.2	"	"
Textile waste	7.7	"	"
Building and stove timber	6.7	"	"
Bauxite	3.6	"	"

In foreign trade in *semimanufactured goods,* France was in 1942 also one of the countries from which Germany received more on balance than she delivered to. She occupies the fourth place in the order. The chief goods delivered were the following:

Semimanufactured goods total	182.9	Mill.	R.M.
of these Wool yarns	24.7	"	"
Linen, Hemp and Jute Yarns	20.5	"	".
Coke	22.0	"	"
Copper	20.0	"	"
Semimanufactured Chemicals	14.7	"	"
Tin	11.0	"	"
Scrap iron	9.7	"	"
Aluminum	9.5	"	"

France was furthermore the chief supplier in 1942 of finished goods of all 35 kinds. The following goods were delivered chiefly:

Fully manufactured goods, total	694.8	Mill.	R.M.
of these Woolen fabrics	56.2	"	"
Cotton fabrics	47.9	"	"
Linen, Hemp and Jute fabrics	39.7	"	"
Knitted woolen goods	34.1	"	"
Knitted cotton goods	24.8	"	"
Ready made cotton clothes	13.7	"	"
Electro-techn. products	45.0	"	"
Non goods	37.0	"	"
Leather footwear	36.8	"	"
Leather	31.7	"	"
Chemical preparatory products	28.8	"	"
Machinery of all kinds	37.0	"	"
Motor vehicles	13.4	"	"
Steam Locomotives	10.2	"	"
Wooden goods	15.7	"	"
Cosmetics	21.1	"	"
Fur goods	16.9	"	"

Army TELEPRINT Network

Command Matter!
By officer only!

Received from
HXKO on the 20.9.43
at 1800hrs. by
Schueler.
[in blue pencil] Chief, Wehrmacht
Ops. Staff. Urgent.

[in blue pencil] Chief OKW
[Initialed] "K" [in Keitel's purple pencil]
GWNOL Capt. Schueler calling
Lieut. Bischoff calling.
[stamp]:
OKW/Wehrmacht Ops. Staff courier office
20. Sept. 1943, 1800 hrs.
662322/43 top secret command matter.
20.9.43.

S.S.D—H.X.K.O. No. 01608 1750.

To the OKW/Wehrmacht Operational Staff. Top Secret. By Officer only.

The Fuehrer has agreed in principle with Dr. Best's telegram that the Jewish question in Denmark be solved very soon by deportation.

According to Best's proposal, the execution of this measure should take place while the state of martial law still exists. It is not certain yet if sufficient police forces can be provided for the arrest of the Jews and their families—about 6,000 persons, of whom most live in Copenhagen. The army would be heavily burdened by carrying out this measure, and will not be able to act forcefully and efficiently, since Copenhagen and on Fuenen young recruits have to be used mainly.

I believe that the results of the deportation will be serious.

It will no longer be possible to expect the cooperation of the Danish authorities and police machinery for the future. Supplies of foodstuffs will be made very problematic. The willingness of the armament industry to make deliveries will be prejudiced. Considerable disturbances, which will demand the utilization of the army, will have to be reckoned with.

Commander, Denmark. Ic (Intelligence) 350/43 Top Secret.
[Pencil note in Jodl's handwriting:] P.T.O.
[On back of teleprint, in Jodl's handwriting:]

Chief O.K.W.

(1) I know nothing of this.
If a political measure is to be carried out by the Commander, Denmark, the OKW must be notified by the Foreign Office.

[Marginal note in Keitel's purple pencil.]
Neither do I!
K.

[in purple pencil:]
Correct!
[sidelining in purple pencil.]

(2) The Foreign Office must state if it has instigated this measure.
[signed]: Jodl 20/9.

[in Keitel's purple pencil:]

(3) If the Foreign Office has issued this instruction it should also be clear about what means are to be used to carry it out.
[initialed] K.
21/9.

[in purple pencil:]
Deputy Chief Armed Forces Operational Staff.
[in brown pencil:] Qu 2 (N)
(Admin) D.21/9.

Captain Schueler calling.
2/Lt. Sintzenich calling.
Lt. Reinhard HOKW calling.

Command matter by officer only
[pencil note] collects from OKW
HR Hauptsturmfuehrer. Reuner.

G W N O L 010589.22/9 1920 hrs.

Commander of German troops in Denmark.

1. For action: Commander of German troops Denmark,
For information: Reichsfuehrer SS and chief of the German police, SS Command Staff Hochwald.
For information: Foreign Office for the attention of Ambassador Ritter.
For information: Chief of Army armaments Dept. and Commander of the Reserve Army.

Top Secret command matter officer only.

The Fuehrer has ordered:

(1) The Reichsfuehrer SS has permission to recruit among the former members of the Danish armed forces who are about to be released, and to send to SS camps in the Reich up to 4,000 men of the younger classes.

(2) The deportation of Jews will be carried out by the Reichsfuehrer SS who is transferring two Police Battalions to Denmark for this purpose.

(3) The state of martial law will remain in force at least until the end of the actions as under pars. (1) and (2). A special order will be issued about its suspension.

(4) The Reich plenipotentiary has been instructed via the Foreign Office in the same sense.

By order, signed Jodl—OKW/Wehrmacht Ops. Staff/Qu. 2 (N) No. 66233 in red pencil 3/43 Top Secret Command Matter H X K O 19.50 hrs. received a top secret command matter message K R G W N O L 010589 *Sintzenich* 2nd Lt.

By order signed Jodl. OKW/Wehrmacht Ops. Staff/Qu. 2 (N) —No. 662333/43 top secret command matter TM 2 20.10 hrs. received Lieut *Reinhard* HOKW.

[pencil note] Tm 3 tel: Lieut. Reinhard 2045 hrs.
Sending and transmitting tapes destroyed.

[initialed] 22.9.43.

Copy.

[in red pencil:] Denmark
[in green pencil:] Chief OKW.
[initialed] "J" [Jodl]
26/9

KR teleprint
25.9.1943.
23.15 hrs.
HXKO 01740
Top Secret
1 copy.

[in pencil] to 662369/43 top secret, command matter
To OKW/Wehrmacht Ops. Staff
Command Matter!
For information: Head of Army Armaments Dept.
By Officer only!
Dept. and C in C Reserve army.

Obersturmbannfuehrer Riedweg visited the Plenipotentiary and Commander on orders from Obergruppenfuehrer Berger for a discussion on the subject of volunteers from the Danish army being taken over into the SS. As against the *directive sent us by the OKW* [underlined in black pencil; marginal note in Jodl's handwriting: "Has this happened?" Marginal note in Keitel's purple pencil: "Yes! only for the older professional soldiers"] to undertake the recruiting of volunteers for the SS in the present internment camps in Denmark, *Riedweg reported that it was not* *intended to carry out this kind of recruiting as it* was totally pointless. [Underlined in green pencil.] The Reichsfuehrer SS had ordered that *4000* men [underlined in black pencil] of the youngest age groups should be transported to Germany in a body to training camps to be established there. [Last sentence sidelined in green and commented "Yes! K" in Keitel's purple pencil.] The recruitment of volunteers was only to begin after a few weeks of training. The total figure of interned members of the Danish army is *5057.* [Underlined in Keitel's purple pencil.] It was intended to form a railway police from this interned army on a voluntary basis—the Danish State railways doing the recruiting and appointing. The purpose of this railway protection was to be, to protect and guard the railway's installations, particularly against sabotage. According to the considerations to date, *about 800 men will be required for this.* [Underlined in green pencil.] There thus *remain,* in round figures—should the withdrawal of these 800 men be agreed to by you—only *4275 soldiers* [underlining in green pencil] i. e., strictly speaking, the whole Danish Army, with the exception of the 800 railway policemen, will have to be transported to Germany. In our opinion the question of the liberation of the regular soldiers—612 officers and 692 War Office officials—does not arise *as a result of* the deportation of the *soldiers.* [Underlining in black pencil.] The officers would, under these circumstances, constitute a constant source of unrest and would presumably form the chief contingent of enemy provocateurs. [Sidelining in green beside the two last sentences.] Since the SS cannot recruit any volunteers from amongst prisoners of war, it is proposed to *transfer Danish soldiers* to *Germany* for a *limited period* for *employment* and *for training in the anti-Bolshevist sense.* [Underlining and marginal note: "Yes! K" in Keitel's purple pencil.] [Pencil bracket opened.] Since the Danish Officers' Corps has—in its general behavior—taken up a completely antagonistic attitude towards the German armed forces and it can be proved that propaganda was consciously conducted —particularly by the higher ranks—against our conduct of the war and since, in addition, arms and equipment as well as clothing were found in quantities far in excess of what was permitted, and thus the Danish Army Command intentionally broke the agreements [Pencil bracket closed]—*I propose that the regular soldiers* (*officers* and War Office officials) *be transported to Germany as prisoners of war.* [Underlining in green pencil. Marginal note in black pencil in Jodl's handwriting: "And the 4275 soldiers". Marginal note in Keitel's purple pencil: "See above. K." Purple arrows to Keitel's previous marginal note opposite previous lot of underlining.] As soon as the proposals of the Admiral, Denmark, regarding the discharge of the Danish Navy are available, they will follow immediately with opinion appended by return.

I draw attention to the fact that, by a decision of the OKW jointly with the Foreign Office, it has been stated with regard to the war material of the Danish Army that this is not to be regarded as war booty, but is only to be made use of. In our opinion, the treatment *of the war booty and the intended treatment of the interned Danish soldiers contradict one another.* [Underlined in green pencil. Last sentence sidelined and crossed out also in green pencil.]

Obersturmbannfuehrer Riedweg expressed the opinion of the individual departments here in a telegram to Obergruppenfuehrer Berger, the contents of which were approximately as follows:

Transportation of Danish soldiers to Germany would after all probably cause serious political and economic harm; in view of the peculiarities of the Danes, it is furthermore questionable whether the recruitment, even after detailed training, will be crowned with success. R. therefore suggests foregoing the action planned. [Last two sentences sidelined in green pencil.]

This view can, as I have already repeatedly stated, only be supported. The reasons given by me above for transferring the Danish Army to Germany and taking the officers prisoner are only far-fetched reasons to make it possible to support the measures politically in Denmark.

Commander, Denmark.
No. 27/43 Top Secret Command matter.
F. v. K.
[Signature].

[in red pencil:] Denmark
[in red pencil:] Chief of the Wehrmacht Ops. Staff
[in green pencil:] Chief O.K.W.

Army teleprint network
Command matter
only by officer.

Received from
HXKO
1.10. 1320
by Brockdorff

[Stamp]
O.K.W./Wehrmacht Ops. Staff.

courier office
1 Oct. 1943
No. 662405/43

KR—HXKO 01803 1/10 1230 Lieut. Bischoff calling
Lieut. v. Brockdorff calling.

O.K.W. / Operational Staff of the Armed Forces—

Top secret command matter. Only by officer.

The Reich plenipotentiary in Denmark has given the following report to the Reich minister for Foreign affairs:

1. The arrest of the Jews to be evacuated will take place in the night of 1st/2nd/10/43, transportation from Seeland will be carried out by ship (from Copenhagen), from Fuenen and Jutland by rail (special train).

2. Should I receive no contrary instructions, I do not intend allowing the Jewish action to be mentioned, either on the radio or in the press.

3. Should I receive no contrary instructions, I intend leaving the possessions of the evacuated Jews undisturbed, in order that the seizure of these possession can not be imputed to be the reason or one of the reasons for the action.

4. The disadvantageous effects of the Jewish action on the attitude of the local population could be decisively countered if tomorrow—2.10.43—the notification could be made on the radio and in the press *that the interned Danish soldiers* would gradually be released within the next few days. It would thus be made clear that the sons of Danish peasants are not—as has been affirmed here in the last few days—*to be put on a par with the Jews by the Germans and be deported likewise,* but that the Jews are to be made primarily responsible for the difficulties which have arisen in Denmark, *and treated accordingly.* I therefore request, in agreement with the Commander of the German troops in Denmark, authority to publish tomorrow the 2.10.43, on the radio and in the press, that the release of the *interned Danish soldiers* (it is not necessary to make any mention of the officers for the time being) will begin in the next few days.

[in blue pencil] Does the Reichsfuehrer SS know?
[in black pencil] The Reichsfuehrer SS knows and
in agreement. D. 3/10

Dr. Best's statements on point 4 are fully approved by me.
Commander, Denmark, Chief of Staff 30/43 top secret.
(Special registry book) command matter.

[signed] v. Hanneken.

D–547

[Pencil note in Jodl's handwriting]
The Fuehrer agrees
J [Jodl].
[pencil note] By telephone to Hanneken.
W.

Top Secret

[in red pencil] Denmark

Wehrmacht Operational
Staff/Operations

Fuehrer's H.Q. the 2. 10. 1943.
3 copies
3rd copy

Command Matter!
By officer only!
Copy.

Teleprint 01810 2.10.,13.20
Received 2.10.,14.00 hours (No. 662417/43 Top Secret command matter)
To the O.K.W./Wehrmacht Operational Staff.

Jewish action carried out in the night of the 1st/2nd October by the German police without incidents.

As the Fuehrer has given permission for the release of the Danish Armed Forces, the further maintenance of the state of martial law does not seem to be necessary and suitable.

Even if at present the Danes are not submitting proposals for the formation of a new government, the plenipotentiary can govern for the present in cooperation with the heads of departments, according to the agreement of the plenipotentiary with the Commander—assented to by the O.K.W. and the Foreign Office.

In agreement with the plenipotentiary, I therefore request approval for suspending of the state of martial law on the 6th October.

Commander, Denmark
Chief of Staff No. 31/43 Top Secret,
Command Matter.
Certified correct copy:
[signature illegible].
Captain.

Distribution:
Chief O.K.W. 1st copy
Operations Army 2nd copy.
Qu. 3rd copy.

Teleprint office OWNOL 011065 [in red pencil] Denmark.
Rec'd on: 3.10.
at 2240 hrs.
from: H.X.K.O.
Via: Knipping
[in blue pencil:] Chief of the Wehrmacht Ops. Staff
[initial].
4752.

[Stamp:]
OKW/Wehrmacht Ops. Staff
Telepr. No. 15201
3 October 1943
22.55 hours

Top Secret [in pencil] 22.55
H.X.K.O. 01818 3.10. 2050=
To the O.K.W./Wehrmacht Ops. Staff
Top Secret.

With reference to Lt. Colonel I. C. Poleck's inquiry the following is reported:

According the statement of *the Reich plenipotentiary the Reichsfuehrer SS has ordered that the Reichsfuehrer SS alone* as the person ordering the Jewish Action *is to receive the exact figures arrest.* The plenipotentiary has therefore given no figures to the Commander of the German troops in Denmark. 232 (two hundred and thirty two) Jews have been handed in by the police troops via the gathering points set up by the Watch Battalion, Copenhagen.

Commander Denmark, Chief of Staff/Qu,No.355/73. [Note in green pencil in Jodl's handwriting] top secret.

Is a matter of complete indifference to us too.

[initialed] J [Jodl]

TRANSLATION OF DOCUMENT D–578

Copy.

St. Qu. the 26.9.1943.
to 974/43 Secret.

1st Mountain Brigade
Op. No. 1577/Secret. Kutina the 17.9.43.
Subject: Activities of the SS units in the area of Popovaca.
Ref: Day's report Op. No. 1534/Secret of the 16.9.43.

187th Reserve Division.

On the 16.9.43, an SS unit of 80 men marched from Popovaca to Osekovo for the compulsory purchase of cattle. I was not notified by anybody about the arrival of this unit in the technical operational area of the 1st Mountain Brigade and about the activity of this unit in the area, for which I alone am responsible.

A short time after their arrival in Osekovo this unit was attacked by partisans. Under the pressure of the numerically superior partisans, this unit had to retreat in the direction of the railway station, which they succeeded in doing, but they had four men seriously and several lightly wounded, among them the unit commander. One man was missing and they also lost an armored car. The unit commander then reported from Popovaca by telephone that, when he had to retreat, he had killed all persons who were in the open because he had no chance to distinguish between the loyal population and the partisans. He himself said that he killed about 100 persons in this incident.

On the occasion of my inspection of Popovaca on the 16.9.43, the officials of the railway station of Popovaca reported to me that they were tortured by the members of this SS unit and pulled about by the arms; they called them all saboteurs and did not allow them to go on to the platform so that it was impossible for them to do their work. At the same time, the officials told me that they could not put up with this and that they would be forced to leave their jobs if an end were not put to this soon, because under such circumstances they are not able to carry out the job entrusted to them, for which they are responsible to the authorities.

In the above mentioned day's report, it is announced that the raid on this SS unit is due mainly to the fact that I received no notification of the arrival of this unit in my operational area. If I had been notified of this, I could have organized the whole task in such a manner that a surprise attack by the bands would have been impossible.

The behavior of this unit towards the railway officials and the killing of the population in the area of Osekovo without distinction is in any case making a very unfavorable impression on the population.

In order to keep respect for the members of the German guarding forces at the desired level, and so that proof is given of the complete cooperation between the allied German and Croatian armed forces, I request that on the occasion of this incident an investigation be begun with all urgency and that the guilty ones be made to answer for it. At the same time I request that steps be taken to notify me in good time of the entry of all units and I request that all service offices be instructed to cooperate with me if they enter my operational area.

Brigade Commander, Pericic Colonel.

Certified Copy.
[Signature Illegible]
Captain.

TRANSLATION OF DOCUMENT D-582

Top Secret

[in pencil:] Z.d.A. 2315
[initials] 6/2

Wehrmacht Ops. Staff /Qu.2 (II)

2.2.1945.

[in red pencil:] 1. Op (Army) (North)
2. ? to Qu

1 Copy.

SSD—Teleprint

To the High Command of the 20th Mountain Army.

Subject: Orientation about Reich Commissar Terboven's report to the Fuehrer.

I. *Appreciation of the Situation.*

1. Those responsible for attempts to murder and carry out sabotage are the illegal entities within Norway with a bourgeois-national majority and a Communist minority, as well as individual groups which came direct from England or Sweden, return to Sweden after carrying out their tasks without having got into touch with the population, and from there are transported back to England by air.

The latter group can be left out in these considerations, as it is to be combatted exclusively with military forces or by the Security Police.

2. The bourgeois-national majority was opposed to the Communist minority in its conception of acts of sabotage and murder, and in particular with regard to their extent and nature. This resistance has become progressively weaker during the course of the past year, among other things essentially owing to the lack of effective measures on our part.

3. Official departments of the exile government, as for instance the Crown Prince Olaf as so-called Commander in Chief of the Norwegian Armed Forces and various others, have called upon the population at home, in speeches and other orders, to carry out

sabotage. As a result, there is a particularly good possibility here of stamping every supporter of the exile government as an intellectual instigator or accomplice.

4. The aim of coming measures must therefore be

(*a*) to strengthen the power and will to turn once more against sabotage, by threatening the very influential class of leaders in the bourgeois camp:

(*b*) thereby to accentuate more and more the antagonisms between the bourgeois and Communists, who form a unified front.

II. *Suggestions:*

One must here promise that no one of the following suggestions represents a panacea by itself, and just as little can it be used unbendingly and regularly. Assuming that the suggestions under I and II or at least II are approved, each of the other suggestions will help to a greater or lesser extent to stop a further increase in the cases of sabotage, and perhaps even to force a decrease in general.

1. Particularly influential representatives of the explicitly anti-German and anti-Nazi class of industrialists to be shot without trial on the accusation that they are intellectual instigators or accomplices and stating that they were convicted within the framework of police investigations.

2. Similar men to be sent from the same circle to Germany to work on fortifications behind the Eastern front.

3. In cases where the circumstances are particularly suitable, proceedings to be taken before the SS and Police Court, with the execution of the sentence of death and suitable publicity.

4. Employment of citizen guards with the condition that, if acts of sabotage occur in the objects guarded by them and the persons concerned cannot themselves be brought to book, their male relatives will be sent to the Eastern front to work on defenses and their female ones to work in the German armament industry.

5. Contributions for the upper class of the population.

6. Requisitioning of tobacco and alcohol.

7. Offer of rewards.

8. Whilst postponing other tasks, the extensive employment of units of the Armed Forces for security police actions against districts in which a particularly large amount of sabotage material is dropped, or which become particularly noticeable owing to the number of acts of sabotage and attempts at assassination.

9. Deportation to the Reich on principle of all prisoners who are imprisoned for the duration of the war.

The Fuehrer has only agreed to these proposals in part. *Especially* in connection with efforts at protection against acts of sabotage, *he has rejected the means consisting of taking hostages. Furthermore, he has rejected the shooting of influential Norwegian representatives without trial as a means of combatting sabotage* [underlined and sidelined in blue pencil].

For para. 8 of the proposals no special order will be issued, since, in the opinion of the Chief of the OKW, everything necessary has already been laid on.

By order

[signature illegible]
OKW/Wehrmacht Ops. Staff/Qu 2 (II)
No. 001117/45 Top Secret.

TRANSLATION OF DOCUMENT D–582–B

Reich Security Head Office. [In Jodl's handwriting (mauve pencil)]

Teleprint office. see other side F.

Space for receipt stamp
1) Text C.
2) R. . . . Colonel General Jodl
[illegible initial]
Telegram—Radio message-teleprint
Telephone

Received
0445 hrs. 7/4/45.

Sent.
- - - - -
- - - - -

Teleprint
No. 503.

7/4 7/4.
[illegible initial]

FURULUND No. 4799 6/4/45 2358 hrs.—O B—
secret to the Chief of the Security Police (CDS) pers.
Reich Security Head Office—IV pers.

Subject: Treatment of members of the Norwegian Resistance Movement.

20. (secret) AOK [Note: High Command of an Army] issued the following orders, on the 31st March 1945:

"In accordance with the instruction of the *Supreme Command of the Armed Forces (operational staff of the Armed Forces).* Qu 2. No. 1889/45 secret dated 29.3.45, *members of the Norwegian Resistance Movement who appear in organized units and who are* *easily recognizable as combatants owing to armlets or other insignia are to be treated as PWs.*"

At the present moment I consider this *instruction completely intolerable.* I explained this clearly to Lt. Col. Hass and Maj. Benze from the Operational Staff of the Armed Forces who stayed here.

Up to the present, there have been isolated appearances of uniformed groups in Norway, but so far there has been no fighting. According to an order of the Military Organization which was found, inquiries were made from the Defense High Command in London as to whether armed resistance should be offered in case of German as Norwegian police action. So far there has been no partisan or other fighting in Norway. On one occasion, captured members of the Military Organization in uniform claimed the right to be treated as PWs. If this demand were met at the present moment, the result would be that *active fighting on the part of the Military Organization would be set going.* Therefore, please obtain *cancellation of the order of the Operational Staff of the Armed Forces.* [N.B. all underlining in Jodl's mauve pencil.]

Chief of the Security Police and Security Service—Oslo—RGB No. 926/45 KLG.

[signed] FEHLIS
SS-Oberfuehrer.

[In Jodl's handwriting (mauve pencil)]:
The objection is justified:
Norway has a government in its own country. Whoever fights against it in the country is a rebel.
It is another question in the case of Norwegian troops who were taken to England and from there are again brought into the struggle under England's orders.

F. 9.4.

TRANSLATION OF DOCUMENT D-606

Operational Staff of the Armed Forces.
Foreign branch No. 313/45. Top Secret.
International Bureaux.

Berlin the 20th Feb 1945.

Top Secret

3 Copies, 1st Copy.

Subject: Denunciation of agreements based on International Law.

A. The agreements in question are mainly the following:

I. Regarding the general conduct of war:

(1) The Hague Convention of the 18.10.1907 concerning the laws and usages of war on land.

(2) Convention of 27.7.1927 concerning the treatment of P.W.

(3) The Geneva Convention of 27.7.1929 for improving the lot of the wounded and sick.

(4) The Geneva Protocol of 17.6.1925 concerning the prohibition of chemical warfare.

II. Regarding the conduct of war at sea:

(1) The XIII Hague Convention of 18.10.1907 concerning war at sea.

(2) The Submarine Convention of 1925.

III. Regarding the conduct of war in the air, no international regulations have so far been laid down.

B. Concerning the consequences of a possible denunciation of agreements based on International Law:

(1) Strictly formally, a denunciation of the agreements is not possible. The conventions concerning P.W. and wounded provide for no denunciation, the Hague Convention admits a denunciation only if one year's notice is given.

(2) On the basis of the practice of states in the wars of the last centuries, there exists the "International Law of usage" which can not be done away with unilaterally. It comprises the latest principles of a humane conduct of war; it is not laid down in writing. To respect it is however considered a prerequisite for membership of the community of states. (Prohibition on misusing the flag of truce, killing of defenseless women and children etc.)

Consequently Germany will by no means free herself from this essential obligation of the laws of war by a denunciation of the conventions on the laws of war.

C. The effects on:

(*a*) the conduct of war:

(1) The denunciation gives the enemy the pretext to declare the employment of any means of warfare on his part to be admissible. The consequence: the combatting of new means of warfare (gas, germs) is not possible for us with the same success as the combatting of the means so far admissible (e.g. the Panzerfaust [a kind of A/T rifle] tanks, mortars etc.). The unrestricted use of means of warfare has — according to experience — a much greater effect in a limited space than on an attacker who, thanks to the extent of his space, can more easily escape the effects of such warfare.

(2) Favorable repercussions on the German deserter problem can not be expected from the denunciation, because, according to the practice to date, a corresponding enemy counter propaganda starts immediately (assurances of good treatment).

(3) When occupying German territory, the enemy is no longer bound by the regulations of the Hague laws of land warfare. The German civil population is therefore not only practically but also legally put in considerably greater danger than before, owing to the cessation of the clear protective regulations of the Hague Convention. Germany thereby herself gives up the possibility of branding corresponding conduct by the enemy by propaganda.

(4) All kinds of militia (Volksturm and military auxiliaries provided with yellow armlets) are legalized only by the Hague Convention (Article 1). Its denunciation would make a partisan of the Volksturm man and of the fighter marked with the yellow armlet.

(*b*) in the sphere of the *convention concerning wounded:*

(1) After the denunciation, there is no longer a legal possibility of a counter-propaganda against the bombing of field hospitals, hospitals, hospital trains, hospital ships, and ambulances, carried out by the enemy to date.

(2) Medical personnel who fall into enemy hands will no longer enjoy the protection of the convention concerning wounded. The current and future possibilities of exchange will cease.

(3) Medical personnel on the field of battle will not enjoy the protection of the convention concerning wounded. The possibility of collecting wounded on the field of battle cannot take place under the protection of the Red Cross.

(*c*) P.W. questions:

No protecting power with all the corresponding consequences, particularly for our conduct of the war. Our P.W.—including officers—can be used for any kind of work. Thereby a strengthening of the enemy's fighting power. Apart from that, the possibility of employing German P.W. for the purposes of the enemy's conduct of the war.

Consequences

(1) For us small advantage, because enemy P.W. here are working any way and are in practice also being used for all fortification tasks.

(2) Probability that unrest in P.W. camps will increase. Considering the present inadequate guarding, possibility of uprisings with corresponding effect on the civil population.

(3) Decreased willingness to work among the enemy P.W.

(4) Possibility of increased number of acts of sabotage. Effectiveness of threats of punishment considerably weakened because the P.W. believe anyway that they have no rights and that they are at the mercy of arbitrariness.

Decreased encouragement to behave decently.

(5) By cancellation of the protecting power, Germany loses the most important possibility of checking up on the treatment of her own soldiers who have fallen into enemy hands.

(*d*) The civil population:

(1) There is no certainty that a denunciation of the conventions will be understood by the civil population in the way it is meant; to this extent there exists the danger that the denunciation will at first have a very disturbing effect.

(2) People will immediately reckon with gas attacks.

(3) Owing to the enemy's present air superiority, there is the danger that the German civil population will begin to believe in still severer terror measures by the enemy, namely after the enemy's will to destroy Germany completely was expressed in the Yalta decisions.

(4) Similarly to enemy P.W., foreign workers can also become restless after having the feeling of being deprived of all legal basis for their treatment.

(*e*) Enemies and Neutrals:

The denunciation of the conventions will without doubt be used to the highest degree in an anti-German sense abroad.

This applies in particular to the convention concerning wounded, in the conclusion of which strong sentimental tendencies played their part.

The advantage of stimulating still more the anger of the German civil population will have to be weighed against the above.

Operational Staff of the Armed Forces/Op.(M).
No. 00 1859/45 Top Secret

Fuehrer's HQ, 21 February 1945.
3 Copies, 3rd Copy.
Top Secret.

Re: Geneva Convention.

D-606

Memorandum

With reference to Ops. Staff of the Armed Forces/Qu 2/1 No. 674
001825/45 top secret, the attitude of the Supreme Commander of the Navy on the question of withdrawing from the Geneva Convention is presented:

"By withdrawing from the Geneva Convention, the Navy would be essentially affected in 3 points:

(1) Treatment of prisoners of war.
(2) Saving of the shipwrecked.
(3) Protection of hospital ships.

Re. (1) The fear that good treatment of prisoners of war may serve as a stimulus for preferring captivity to fighting does not apply to sea warfare, since the prospects of being taken prisoner of war on board on giving up fighting are extremely remote and do not depend on the will of the individual. Added to this is the fact that the members of the Navy are trained in such a way that, with captivity, the war does not cease for them, but that there too they try by all means at their disposal to create difficulties for their enemies and thus continue to act both morally and actually, along the lines of their own prosecution of the war.

Re. (2) To cease saving the shipwrecked—a thing which is in any case possible only on rare occasions—would, in the present situation, hit us harder than the enemy, since our U-boats, left to rely upon themselves, move exclusively in enemy waters, where there is no question of taking our own measures for life saving. It would only lead to the loss of German lives without corresponding compensation.

Re. (3) A withdrawal from the Geneva Convention would result in the immediate loss of our hospital ships. We could indeed proceed against enemy hospital ships too by U-boat attacks. But this we can do also without withdrawing from the Geneva Convention. The other consequences connected with withdrawing from the Geneva Convention (protocol against gas warfare, the Hague Convention on shelling by naval forces and the London regulations on U-boat warfare) are in part of little importance for naval warfare and in part no longer play any part in the present stage of the war. It results that, from the military point of view, to withdraw from the Hague Convention brings more disadvantages than advantages to the Navy. Over and above this, it appears in general too to be more correct to apply measures which are considered necessary for military or other reasons and which are in contradiction to the Geneva Convention, according to the situation of the moment, without previously announcing them by a withdrawal. One thus succeeds in maintaining outward appearances without the measures necessary in the interests of the conduct of the war suffering thereby.

The C in C of the Navy File No Admz bV
516/45 Top Secret.

Distribution:

Chief OKW via Chief, Ops. Staff of the Wehrmacht	1st Copy.
Deputy Chief/War Diary	2nd Copy.
Qu	3rd Copy.

L. Burkner
Viceadmiral.

24/2,
OU, 23.2,1945.
[initialled] J [Jodl]

Sir Colonel General,

On the 20.2., the Chief of the Supreme Command of the Armed Forces raised the question to the Chief of the Foreign Branch of the Ops. Staff of the Armed Forces, of a possible repudiation by Germany of certain treaties on international law.

In itself this is essentially a political concern; since, however, it falls within the section of your official sphere of competence which is directed by me, the following observations—over and above the opinion given officially to the Ops. Staff of the Armed Forces—can perhaps be briefly added to this:

(1) If such a repudiation were to be announced, it appears expedient to refer to the atrocities of only *one* enemy party, namely the Soviet Union or the Anglo-Americans—preferably the latter.

This would at once carry the momentum of the breach between the Allies to the expected storm.

(2) Perhaps it would also be better not to come forth at once with the full weight of a plain repudiation, but just to ask the Anglo-Americans at first, through the protecting powers, the question whether it is henceforth their intention to place in the foreground of their "warfare" attacks on women and children (Dresden).

(3) May I, in conclusion, only repeat: International law is not a juridical affair, but a collection of the experiences of soldiers in numerous wars.

Heil Hitler, Sir Colonel General
Yours Obediently.
[sgd] L. Burkner.

The affair will presumably blow over.
[initialled] J [Jodl] 25/2.

D-606

Ops. Staff of the Wehrmacht
QU. 2.(1)
No.001825/45 Top Secret.

20.2.1945.
Top Secret.
6 Copies.
6th Copy.

Draft.

Ref: Present value and lack of value of international obligations, such as the Geneva Convention, the Hague land warfare regulations etc.

The daily terror attacks on the German civil population, which in their extent put in the shade all the atrocities of history, force one to wonder whether there is any sense whatever in Germany maintaining the limitations of international law regarding the conduct of war, and whether the people can be burdened with it.

The following statements intentionally leave out considerations based purely on theoretical law. They are intended clearly and soberly to compare the advantages and disadvantages of withdrawing at the present time from the international laws of war. The considerations refer mainly to the Western Powers, as the Soviet Union in any case does not keep to the usages and treaties of international law.

The international laws of war are supposed to "mitigate the sufferings of war in so far as military interests permit" in addition to rules which are recognized tacitly (customary law), the following agreements come mainly under consideration:

(1) The Hague land warfare regulations, dated 18.10.1907;

(2) The agreement on the prohibition of chemical warfare (gas warfare agreement) dated 17.6.1925;

(3) The Geneva convention for the amelioration of the lot of the wounded and sick of the army in the field, dated 27.7.1929. (Red Cross agreement).

(4) The agreement regarding the treatment of Prisoners of War, dated 27.7.1929.

(5) The agreement regarding sea warfare (of enclosed opinion of the OKM/1st naval operational staff).

Aerial warfare has not yet been regulated by international agreements.

I. Advantages and disadvantages of a withdrawal from the obligations of international law regarding the conduct of war.

(*a*) *Gas and bacteriological warfare.*

The surprise introduction of gas and bacillae for fighting the enemy can, in the present emergency lead, owing to the surprise and shock effect, *to considerable initial successes.*

As against this there are the following *disadvantages.* The enemy has air superiority. The German population which is at present crowded into a narrow area—with anything up to a six fold overcrowding of the remaining houses—would, in a very short time, be subjected to counter blows. In this connection one must take into consideration, that the refugees particularly have no means of gas protection at their disposal. As the war is being fought out at present on German soil both in the East and in the West, the German population in the enemy occupied territory would also be affected by our own gas warfare. Finally German gas warfare could not reach either Russia's wide spaces or, above all, the United States of America.

Conclusion. The introduction of gas and bacillae as a war measure must work out to our disadvantage.

(*b*) *Red Cross agreement.*

The Anglo-Americans have undoubtedly repeatedly not respected the Red Cross in this war, have sunk hospital ships and have also fired upon clearly marked ambulances, and have not spared hospitals in their terror attacks. Nevertheless it is to be noted that *on the whole* they still respect the Geneva convention as was again confirmed not so long ago by the report of the army doctor concerning observations in the zone of the H.Q. of the 6th Panzer army in the West. Owing to enemy air superiority it would be absolutely impossible to carry out any kind of orderly care of the wounded any longer, should the protection of the Red Cross be entirely withdrawn. We must also not fail to recognize that, on the German side too, the Red Cross has often been misused for other purposes (Transport of munitions and fuel, transport of personnel to the front) as the report of the Army Doctor confirms once more. Should the Red Cross Convention be dropped entirely it would be easy for the Anglo-Americans to smash all hospitals and transport for the wounded. Owing to the lack of our own air superiority, there are no effective counter-measures available. The continuation of the Geneva convention is therefore an advantage for us.

(*c*) *Prisoner of war agreement.*

There are 230,000 Anglo-American prisoners of war in German hands (168,000 British, 62,000 USA soldiers), against whom there are 441,000 German soldiers in Anglo-American hands, of whom 307,000 are in the hands of the USA and 134,000 in the hands of the British. Reprisal measures against them therefore work out to our disadvantage. We have indeed also in our hands people from the Western auxiliary countries: 920,000 French prisoners of war and, in addition, 64,000 Belgians and 10,000 Dutchmen; whereas against these there are only an estimated 80,000 German prisoners of war in the hands of de Gaulle's France. But it is probably quite indifferent to the Anglo-Americans (apart from propaganda exploitation) what we do with the French, Belgians or Dutch; whether France, especially, is further weakened by reprisals or not will in no way influence them in *their* measures against us.

To this must be added the following war experience: Bad treatment of prisoners of war mainly strengthens the opponent's will to resist. The problem of our own deserters would presumably not be eliminated by bad treatment of prisoners, as our opponent would make all sorts of promises to further deserters so that actually only those German soldiers whom he captured in honorable combat would be badly treated.

Only one advantage can be reckoned in breaking away from the agreement regarding the treatment of prisoners of war, this being that the prisoners of war (including officers) can then be forced to do all important war work. Naturally however, this would again require more guard personnel.

(*d*) *Provisioning of the islands in the Aegean and the Channel Islands.*

Experiences in Crete, Rhodes and the Channel Islands have shown that the German garrisons there can only be maintained if the civil population which, especially in the Channel Islands, has been obtained to work for the troops, has the minimum necessary for keeping alive. The provisioning of this civil population only takes place, however, through agreements with the enemy based on international law. If the agreements regarding the provisioning of the island population go, then, in the end, not only the civilians would starve, but also the German occupation forces, if the enemy so wishes.

II. *Effects of the repudiation of all obligations based on international law.*

(*a*) *On our own troops:*

Experiences in this war show that the troops in the West and South maintain their positions in spite of pattern bombing and the very great weight of enemy material, whereas in the East, if they believe themselves to be outflanked, they do not always stand firm in a crisis. This certainly rests partly on the soldier's deliberations that, after an honorable fight against the Anglo-Americans, he would only become a prisoner of war, whereas in the East he does not remain steadfast, out of fear of Bolshevik cruelty. It is to be feared that, by repudiating all international obligations, the same thing would occur on the Western and Southern fronts as has happened on the Eastern front. The partial failure to hold out of strongpoints in the West, is to be attributed less to the soldiers expectation that it will not be so bad in Anglo-American captivity than to the fact that it is mainly a question of personnel who, owing to 4 years of garrison life in France, had no fighting value. Moreover, the behavior of St. Malo and of the Atlantic fortresses stands out against this failure.

The repudiation of all obligations of international law brings therefore the advantage of very strong resistance in the case of encircled troops, who have no longer a way out, whilst it can be prejudicial to the holding of positions. Accordingly an overwhelming advantage is not to be found here either.

(*b*) *Effect on our own population.*

The repudiation of all obligations of international law will be welcomed by the population which is tormented by terror bombing to the extent that they will be able to deal with the terror airmen personally. Part of the population is however already going in for this settlement of accounts and it is not necessary to renounce international agreements for this. It should also be mentioned in this connection that now already the Anglo-American airmen are all equipped with firearms. If they know exactly what their fate will be in German hands, they will be still better equipped in future so as to fight their way through to the nearest front. Volksturm, Landwacht and other organs who wish to capture airmen, must reckon on suffering losses themselves. In spite of this, the population must not be prevented from taking measures of self-help.

It appears doubtful whether the people's will to resist will be encouraged by the repudiation of the still existing agreements regarding the conduct of the war. A great part of the population will be considerably disturbed about the fate of their relations in enemy hands. Even the stoppage of the prisoners of war mail without anything actually happening to our prisoners, would represent a further considerable burden on wide circles of the people.

Further, that part of the people who are in Anglo-American occupied territory will be particularly anxious. For the enemy is then no longer bound to the principles regarding the treatment of the civil population of an occupied territory.

Since, as explained, terror airmen can be rendered harmless without repudiating international obligations, there is no advantage to be found here either in breaking with international law.

(*c*) *Utilization for propaganda:*

If Germany repudiates all obligations of international law, this cannot but prove useful for the enemy propaganda. Our justification that enemy terror bombing has caused us to do this will be countered by the claim that we ourselves made use of aerial warfare against the civil population. Whilst, we do not need to fear the lying enemy outcry, it would still tend to have on the not inconsiderable portions of the population in the camp of our Western enemy, who, in view of the advance of Bolshevism, perhaps begin to suspect the senselessness of the war with the Reich, the effect of turning them from these considerations once more. Our propaganda for a united Europe under German leadership would also probably be nullified thereby.

The Western enemy news, after the opening of the Russian offensive repeatedly played with the idea and even with the covert incitement, that Germany would now probably begin gas warfare against the Bolsheviks.

There is a suspicion that our opponents, by their terror attacks and also by such utterances in the press, actually want to provoke us into repudiating the obligations of international law, so as to be able then to carry out all the more brutally and openly, before the eyes of the more critical part of their peoples and of the so-called neutrals too, their real intentions of destroying the German people.

III. *The attitude and suggestion of the deputy chief of the Operational Staff of the Armed Forces:*

At the present moment the disadvantages of a repudiation of the obligations still kept up to the present in any case by far outweigh the advantages. Just as we were wrong in 1914 when we solemnly declared war on all the States which had for a long time already wanted to go to war with us, and thus to outward appearances took the whole responsibility for the war upon ourselves; just as it was wrong to acknowledge as our own guilt the necessary march through Belgium in 1914, so it would be wrong to repudiate now publicly all the obligations of international law which we have entered into, and thus again appeal to the outside world as the guilty party.

The adherence to the obligations entered into in no way involves our having to inforce on ourselves any limitations prejudicial to the conduct of the war. Should the British, for instance, sink a hospital ship, this must be used as before for propaganda purposes, this does not prevent us in any way from sinking a British Hospital Ship at once as a reprisal and then expressing our regret, in the same way as the British, that it happened owing to an oversight.

We must learn to utilise international law as a weapon particularly a propaganda weapon, in the same way as the enemy has done successfully since the first world war.

Distribution

Chief of the OKW via the Chief of the Ops.Staff of the Wehrmacht/Deputy Chief of the Ops.Staff of the Wehrmacht.

Op. (Army)	from the 21.2-copy.
Op. (Navy)	3 “
Op. (Airforce)	from the 21/2 4 ”
Qu Foreign Dept. via Intelligence	5 “
(Draft)	6 “

4 Enclosures:

Enclosure 1. Opinion of the Staff of the Armed Forces/Agent abroad.

Enclosure 2. Opinion Navy High Command /Skl.

Enclosure 3. Opinion Airforce High Command /Lw.Fu. Staff IC. (with reservation of the opinion of the Chief of the General Staff of the Air Force).

Enclosure 4. Extract from a report of the Fuehrer of the Administrative Dept. of the 20.2.1945. on the state of preparations for chemical warfare on the part of enemy powers.

TRANSLATION OF DOCUMENT D–637

Extract from "Voelkischer Beobachter"
Edition A, Munich Edition,
No. 7/8 Vol. 46th
Saturday/Sunday 7th/8th January 1933.

On Adolf Hitler's meeting with Papen

The Berlin press has made sensational news of Herr von Papen's meeting with Adolf Hitler.

The "Tagliche Rundschau" already feels able to relate that the purpose of the discussion was "to try once more to make Hitler

Chancellor." If one is supposed to deduce from this that the overtures for the meeting came from Hitler, we can affirm, on the information at our disposal, that this was not so.

The other papers which are spreading this assertion, some in a very definite form, are likewise making completely false deductions.

It is much more probable that, on the contrary, Herr von Papen felt the need of informing the leader of the biggest German party of certain interesting details about the events which led up to the fall of his government in the November of last year.

If one thinks, in this connection, of the peculiar events which, after the formal resignation of the Papen government directly preceded Herr von Schleicher's being entrusted with the formation of a government, one can understand that the former Reich Chancellor thinks it valuable to throw some light on things, and on the methods by which one can become Chancellor nowadays.

The "Tagliche Rundschau" has no reason at all to be surprised that "Hitler could have any common dealings whatever with Herr von Papen." That the contrary is true, if overstresses the "common dealings." Hitler demonstrated on the 13th August 1932, which would, as is well known, have been the best opportunity for it. The leader of the German Liberation movement certainly has no intention of having "common dealings" with the representatives of a policy which he has recognised to be false in its contents. But the Fuehrer also has not the slightest reason for accounting to the Berlin Press for his choice of persons from whom to find out personally how rotten that system is, internally too, with which he does not wish to have "common dealings."

Against deductions

Adolph Hitler and Herr von Papen publish the following combined declaration:

"Against false deductions which are in many cases being circulated in the press regarding Adolph Hitler's meeting with the former Reich Chancellor von Papen, the undersigned declare that the conversation dealt exclusively with the possibility of creating a great national political United Front, and that in particular the opinions of both parties on the Reich Cabinet at present in power were not touched on at all within the framework of this general discussion" [the signatures follow].

PARTIAL TRANSLATION OF DOCUMENT D-664

Voelkischer Beobachter
21 January 1942

Kattowice 20 January—

Reichsleiter Baldur von Schirach spoke Tuesday afternoon at a major convention of party leaders of the Gau Upper Silesia in the City theatre of Kattowice to the corps of leaders from party, administration and commerce on duties of the German Youth in the East, which will be the deciding factor in the destiny of the German people.

[Par. 4]

The German in the East, the Reichsleiter began, has a definite sense for reality. Here the German has either to fight or to stand guard. On top of it he has to carry out very hard work. Peace in the established sense was never known to him. Continuously he believed in the greater Germany and has always shown himself in his devotion as a true soldier and National Socialist.

[Par. 7]

Reichsleiter Baldur von Schirach then dealt with the tasks of German youth in the East. The Hitler youth had carried out political schooling along the lines of the Fuehrer's Eastern policy. We are grateful to the Fuehrer for having turned the face of the German people towards the East, because the East is the destiny of our people. After having shown up the mistakes in past Eastern policy, the Reichsleiter continued:

Service in the East is honorable service to the German people. The young Germans must live for the ideas for which the German soldiers have died, and the young generation of our people must regard it as their highest duty to work in those regions where their German comrades in uniform have shed their blood.

It is the duty of every youth leader to regard the fight of his fallen comrades as a symbol for his future tasks. He must be prepared at all times to spend even his whole life in the East under the most difficult conditions. There can be no greater honor than to consolidate with the plough—for the future and simultaneously for the sons and grandsons of our fallen comrades—those regions whose soil has been drenched with the blood of German soldiers.

Nazi Proposal for Absorption of Hungary

[Typewritten draft for a memorandum. It is undated, but one page is written on the back of an unfinished letter dated 11 March, 1944]

(Handwritten corrections made to the original typewritten script by Krallert, Weneck, Kaltenbrunner, Flotte and Urban, are given in brackets with their initials, viz., Kr., W., K., F., & U., the crossed out phrase being underlined [italics].)

From the point of view of the Reich, an incorporation of the Hungarian area as a fundamental part of the old Habsburg sphere of power is in the long run inadmissible.

This aim can be achieved by *force* (by intervention—K.) or as the result of an evolutionary process.

In spite of the extraordinary geopolitical and economic importance of Hungary for the Reich, German foreign policy has made no serious attempt during recent years to gain an influence on developments in Hungary *and to make use of this to attain the goal by means of evolutionary methods* (apart, perhaps, from direct personal endeavors by the Fuehrer to win Horthy over to the dismissal of Kallay and the elimination of the Bethlen influence.—K.)

Those Hungarians who look back, in the field of foreign policy, to a centuries-old tradition as a great power, incline fundamentally towards a conspiratorial policy. The complete lack of German attempts at influence has inevitably trained them to follow that policy of playing off one power against another which has now attained an intolerable character *as the "proofs" have clearly revealed.* (Underlining by W.)

(+) Instead of recognizing therein the necessity of seeking, in the numerous positive forces, bases for a solution which will both secure the total utilization of Hungarian potentialities for the prosecution of the war at the moment, and create for the future the prerequisites for the final aim striven for an attempt at a military solution by force now threatens. This will *by no means lead* (underlining by U.) to the complete fulfillment of the military and economic demands of the Reich in this area, and will, on the contrary, obstruct forever the road to an evolutionary development ((+) the whole paragraph is crossed out and the following substituted: I fear that the road to a future evolutionary development might be blocked by immediate military operations, without achieving for the present the seizure of the military and economic potentialities.—K.).

On the Hungarian side there stands against all this the fear of falling a victim to Bolshevism on the defeat of Germany, which is taken for granted. It is believed that the only way to exercise this danger is by an early adherence to the Anglo-American side. To this is added the deep dislike of the leading upper class towards us as the bearers of a social revolution which will, in the long run, make impossible the continuation of the feudal system of life in Hungary the beneficiary of which is this very upper class.

The consideration that a possible English intervention would have to be met in good time was one of the main reasons for the origination of the plan for a solution by force. (Indecipherable alterations have been made by K. and the whole paragraph has been struck out.)

Against this, I consider—for reasons arising from the geographical situation alone, the probability of an attempt at an invasion to be very slight. (Firstly, because of the geographical situation and then because an undertaking so unpredictable does not tempt the English who are not minded to take risks.—K.) I believe, on the other hand, that the approach of Bolshevism will in itself soon make even those of the upper class forces which are inimical to us, ready to negotiate, out of despair of the possibility of English aid and out of fear of the even greater Bolshevist danger.

The vitally essential demands of the Reich in this area are now as follows:

(1) Complete exhaustion of all economic and especially agricultural resources in order to safeguard the basis of Germany's and Europe's food supply, in view of the loss of the Ukrainian areas.

(2) Employment of all reserves of manpower for carrying on the war and

(3) Complete relaxation of tension, in order to set free the Rumanian troops also, for use on the Eastern front.

The military action will create the following state of affairs, especially in the event of participation by the Rumanians and Slovaks:

(1) A united defense front, such as has never been seen before —from the Communists to the Arrow and Cross party (Pfeilkreuzler).

(2) The impossibility of forming any government; at the most some mercenary persons would be found.

(3) Horthy's immediate resignation.

(4) Military, political, and economic chaos.

The country—one center of resistance, partisan activity on the greatest possible scale.

(5) And this point carries particularly great weight when the present German military situation is taken into consideration—numerous German divisions will be tied down for an unlimited period.

The desired aims will therefore not be attained. The carrying out of the military action at the time of the cultivation of the land in the spring, in itself decisively damages the prospects for the harvest. Ownership of large estates and the activity of Jewish middlemen, neither of which can be eliminated at short notice, will further lessen results. The partisan activity that can be expected for certain, finally destroys any hope of an increase in productivity.

The Hungarians have for centuries had experience in the organization of national resistance. Even the efforts of the old monarchy, which went on for twenty years, from 1848 to 1867, making use of all means of power, resulted in total failure. On the contrary, they decisively contribute to the creation and intensification of Hungarian national chauvinism. A recruitment of the Hungarian reserves of manpower for the German war effort is out of the question under these circumstances. On the other hand, continuous partisan warfare will ensue in the area occupied by us. As a result of the clash of the two opponents, warfare on a large scale would ensue in Transylvania and would presumably last a long time.

Even assuming the more advantageous case of a final Rumanian victory, the losses the Rumanians would have suffered and the necessity of suppressing northern Transylvania would make the employment of Rumanian troops in the East impossible for some months at least, if not permanently. We would, therefore, not see our present hopes fulfilled, would probably close the road to a later appeasement and final solution and would also evoke far-reaching reactions in the fields of strategy and of foreign politics. The zones of unrest created behind our enemies, with an operational intention, would be closed to form a belt reaching from the Adriatic to the Baltic Sea, if a mutinous Hungary and a Transylvania in a state of war were added to them. Simultaneously, we thereby cut those supply routes, the safe functioning of which is vitally necessary to the southern wing of the Eastern front. If the Soviet intention of cutting, one after another, the supply routes that run parallel to and outside the Carpathians until the last railway line is cut, succeeds, then the supply lines through the Carpathian basin will alone be the basis for further resistance.

But, also, those supply lines into the Balkans which are today the only safe ones and which would be vitally necessary in view *of the possibility of a war against Turkey or a* (of a—K.) landing *in the Balkans* (there—K.) would be endangered.

Almost equally important are presumably the political effects abroad. The German attitude on the Transylvanian question, once again executing a volte face, would entail such a loss of prestige even in friendly foreign countries that *no one could have faith in* (doubts would arise as to—K.) our ability and our will for a New Order in Europe. The effects *must be disastrous* (will be oppressive—K.) even in friendly nations such as Bulgaria, where it would be feared that a possible German agreement with the Serbs or Greeks might one day result again in the loss of Macedonia or Thrace. Thus we would drive the Bulgarians too into the arms of the Anglo-Americans *in the endeavor* (who will endeavor—K.) *to make it possible to retain* (to obtain a guarantee from them for (Sewoff)—K.) the territories they have gained, by changing sides in time.

The effects to be expected in Finland, the Baltic States, etc., would be quite similar.

I am therefore convinced that the intended military *coercive measures* (intervention—K.) *will not only not* (will not necessarily—K.) attain *any of the* (the—K.) aims set, will create *new and unforeseeable difficulties* (situations that are difficult to get a bird's eye view of—K.) in the fields of strategy and of foreign politics. A successful attempt at a new order on an evolutionary basis *on the other hand* (however—K.), would mean:

(1) An internally consolidated Hungary, friendly to Germany,

(2) Horthy's remaining in his position as a "historical" personality, who would continue to guarantee the functioning of the national institutions.

(3) The Honved and the security units would remain entirely in step and would thus be at the disposal of the Reich's military requirements.

(4) The total economic draining of the Hungarian area is fully guaranteed.

(5) The elimination of all arguments on Rumania's part that she needs troops in Transylvania, makes these troops available for the East, and can postpone the present Transylvanian problem to a later date by clever promises.

(6) Therefore, not only will Hungarian *and* Rumanian troops be gained, but numerous German divisions will be spared.

(7) A distribution of German troops throughout Hungary,

which might become necessary for the purpose of security and against a British invasion, can be carried out unhindered, by means of troops in training, in the same way as has been done in Rumania.

These far reaching results can be attained by comparatively simple means.

The point of departure would have to be a personal message from the Fuehrer to Horthy who, as is known, *is* (has been—K.) always *most strongly* (strongly—K.) impressed by the personality of the Fuehrer. The go-between for this message could be a diplomat such as von Papen who is not only known as an honest broker, but who enjoys moreover the personal confidence of Horthy. This message would have to refer to the debit balance of the government (Kallay's—K.) which had been hostile to Germany and express the thought that the full employment of Hungary's potentialities for Germany's and Europe's aims could alone assure Hungary's future existence. The condition and the guarantee for the carrying out of these demands would have to be created by a complete change of regime (in any case with German occupation—K.). Following on this, the Regent will legalize *a new government on the broadest* (a broad—Kr.) *basis from the right wing of the Government throughout the Party for Hungarian Renewal and the Hungarian National Socialist Party to the Arrow and Cross Party* (Underlining by V.)

The Putsch-like carrying out of this change of government must be organized in such a manner that the entire public *remains unaware of the actual connections, as a result of the authoritative decision of the Regent* and that antagonistic forces do not get a chance to act. *The putting into effect of this plan is guaranteed by the existence of plenty of suitable personalities with whom we have close connections through my collaborators* (underlining by W).

(x) The most important of these men, who could take up leading posts in a new government, are:

Lieutenant-Fieldmarshal of the Reserve Ratz, a respected general who enjoys the confidence of the entire right wing opposition, and who seems certain to be acceptable to the Regent as Prime Minister.

Lieutenant-Fieldmarshal Ruszkay, a highly qualified soldier of pure German descent, who enjoys the very highest respect of the officer class, and who, on taking over the Honved Ministry, would be a certain guarantee that Hungary's military forces would stand unconditionally at the side of the Reich.

The former Prime Minister Imredy, a man of great qualities as an economic leader and financial expert, who meets with very great approval, particularly among the Hungarian intelligentsia.

Major General of the Reserve Baky (deputy—Kr), one of the organizers of the Hungarian gendarmerie, who are generally and quite rightly looked upon as being the surest instrument for peace and order, and who have, at the same time, always been entirely sympathetic to Germany.

A number of popular party leaders of the right wing, as well as acknowledged experts, would also immediately be at our disposal (passage from (x) sidelined by F.).

(++) *Conclusion.*

I dare say that such an attempt could, through my collaboration, bring about a government consisting of the above-named people within 3 days. The military undertaking (transports to the Eastern front) will make its own contribution towards this. The Trojan method remains assured, but so does our good reputation as well.

The discussions taken down on the 13.3 did not even become a "D-day."

It rests with the (?) and the "proofs"! (++—K.).

TRANSLATION OF DOCUMENT D–683

Confidential!

Vienna, 31st January, 1935

The Ambassador Extraordinary and Minister Plenipotentiary.

My Fuehrer,

I return once more to the further *technical* treatment of the Tschirschky case.

During our talk at the beginning of December, you very kindly offered to finish the Tschirschky business in a special way. I asked you on 13 December to let the matter follow the course of an *ordinary trial.* The idea behind this request was that Herr von Tschirschky should not reap advantages of any kind from his position with me; just as little could I wish, of course, that he should suffer any disadvantages because of his position with me.

I have heard in the meantime that you have entrusted Herr Heydrich with a special commission which relates to the very field in question. He is thus also concerned with the Tschirschky case, at least in the present stage of the proceedings of investigation.

Herr von Tschirschky, whom, incidentally, I have for the time being relieved of his duties, has now learned from several sources which he—and I also, unfortunately—regard as authentic, that some persons belonging to the Gestapo have for a considerable time been planning to neutralize him.

In view of his own experiences in the summer of last year, he fears that, on the occasion of his now anticipated interrogation, he will be eliminated by certain lower organs of the Gestapo in one way or another, either on his way there or at a later date.

I consider it my duty to draw your attention in good time to the possible complications which may ensue from this state of affairs.

Should Herr von Tschirschky find it desirable, because of his above-mentioned apprehensions, not to appear on the date fixed by the Gestapo—these rumors have as mentioned above, unfortunately also spread to Austrian circles, owing to Berlin indiscretions—and if I had to dismiss him immediately for that reason, which I would have to do as a matter of course, the comments in the foreign press, which could be expected without doubt, would make my task here very difficult.

In the event, however, of Herr von Tschirschky going along on the appointed date and—a thing I hardly dare think of, much less say outright—in the event of his apprehensions being justified in one way or another, owing to an unfortunate chain of circumstances, it can be expected that not only my position in Vienna would be untenable, but that, furthermore, the Reich and your name would suffer great damage.

In view of this importance of the case in the field of foreign politics, I would remind you of your erstwhile promise to let the matter take the "normal course of justice", and I would ask you to take the case in question—by means of a special order—out of the sphere of the mission entrusted to Herr Heydrich in order *that the competent Public Prosecutor may take over the proceedings with his usual auxiliary organs.*

I hope that I shall then not have to continue troubling you the whole time with this sorry business, especially as Herr von Tschirschky leaves my service on the termination of the trial.

I would be particularly grateful for an immediate communication of your action in this connection, as the telegram received today fixed the new date as February 5th. Should I not have received a reply from you by the 4.2. I shall communicate to the Gestapo telegraphically that I have contacted you direct on this matter.

[Signed] Papen

To the Fuehrer & Reich Chancellor.
Berlin.

Vienna, 5th February 1935

The Envoy Extraordinary, and Minister Plenipotentiary on Special Mission.

Personal!

Subject: The Tschirschky Case.

As already reported yesterday by telegraph, I have conveyed to Herr von Tschirschky the order of the 2nd of this month repeating the demand that he appear on the date fixed by the Gestapo—5th February.

He then announced to me officially that he would not comply with this order, as he was convinced that he would be killed in one way or another. He will marshall the reasons for this refusal in a report which I will submit as soon as I receive it.

I yesterday finally relieved Herr von Tschirschky, whom I had already suspended for the course of the proceedings, of his post. It goes without saying that I shall break off all connections of an official nature, as soon as the handing over of files, etc., has taken place tomorrow.

I telegraphed to Herr von Neurath today, saying that Tschirschky has been dismissed from the service of the Embassy. His diplomatic pass and other official identity papers will be sent back by to-day's courier.

With reference to reporting his dismissal to the Austrian government, I am afraid that if I report it abruptly tomorrow, the matter will attract public discussion. I believe that this scandal should be avoided and have therefore given Herr von Tschirschky sick leave for the time being, for the benefit of the public, and shall report his dismissal later.

I shall return to the Tschirschky affair and its connections with other current Gestapo questions in Vienna later in a detailed report.

After I had repeatedly asked that Herr von Tschirschky should be given a chance to clear himself before a regular judge of the charges laid against him, I am naturally exceedingly sorry that the affair is now ending thus. I left nothing undone to induce Herr von Tschirschky to take the course designated to him of letting himself be examined by the Gestapo. But if he remains firm in his resolve to avoid this examination, even though he knows that this means the ruin of his social and material position for himself and his family and if he has declared to me that, while an emigre he will do nothing which would be harmful to the Fuehrer and the country, I have nothing to add but the wish that everything should be avoided that could make this affair an open scandal.

[Signed] Papen

To the Fuehrer and Reich Chancellor.
Berlin.
By courier.

TRANSLATION OF DOCUMENT D–685

Vienna, 5 February, 1935

F. G. Tschirschky and Boegendorff.
Your Excellency, Mr. Minister,

In an order dated 4.2.1935 expressed in writing that you, Mr. Minister, are relieving me of my official duties, quoting an extract from a letter from the Minister of Foreign Affairs which brings to your notice the Fuehrer's orders and you give me instructions to place myself at the disposal of the Gestapo on the 5th Feb., fixed date.

Although I am fully aware of the seriousness of the decision, I am unfortunately compelled, Mr. Minister, to declare that, in the interests of the Fatherland, the carrying out the mission in Austria intrusted to you by the Fuehrer and Reichs Chancellor and last but not least, in the interests of my family, I am not in a position to comply with the Gestapo demand to report to Berlin for interrogation.

The reason for this decision which is based on the attached special report shows that it has not been influenced only the human understandable desire to live which I hope you, Mr. Minister, as well as for the Fuehrer and Reichs Chancellor will realize from this report, but owing to my sense of responsibility to the Fatherland, the leadership of the 3rd Reich and towards you yourself I cannot act otherwise. The seriousness of the meaning of my decision is apparent since I have made it, although I am aware that I have already caused you considerable inconvenience.

Allow me to express once again in writing the assurance that I will never act disloyally either to the Fatherland, to the Fuehrer and Reichs Chancellor or to you personally. I am whole-heartedly devoted to my beloved Fatherland and all my actions and efforts have in the past only served for its well being and ascendancy. Nothing will alter this in the future. As soon as I am convinced that no further harm can befall the Fatherland, I will return to the Reich in order to place myself before the proper Judge in the

Sommer affair. As I have a clear conscience, I hope I shall carry the blemish which will apparently be put upon me for a short time only.

As a person who knows that honor is the highest possession a man can lose, I will, as soon as I see the possibility, call to account each one who has assailed or is assailing my honor.

Always your devotedly,
[Signed] Fritz Gunther v. Tschirschky.

To the Ambassador Extra-ordinary and Plenipotentiary Minister,
Herr von Papen,
Vienna.

F. G. von Tschirschky and Boegendorff.

REPORT

Annexed to the letter dated 5 Feb 1935 addressed to the Ambassador Extraordinary and Plenipotentiary Minister, Herr von Papen, Vienna

Information has reached me, not only from one but from many sources both from home and abroad, that in Gestapo circles a large number of persons exist who consider me to be a reactionary and outspoken enemy of the National Socialist party. It is therefore necessary to make me harmless. In addition to that I am supposed to know too much. It is all the same whether through my disappearance from the Reich, damage or advantage results.

The first information which came to my knowledge found its first confirmation in the events of 30th June and my personal experiences in those days. I give only the following facts as proof of my conception of my experiences on 30 June:

1. *FACTUAL INFORMATION.* (Up to and including 30 June 35)

I was arrested on 30.6 by *two different groups* which shows that the action against the Vice Chancellor originated from two official sources, who were working against each other. The incident was as follows:

When I returned to the Ministry in Vosstr. 1 with Herr von Papen from the short visit to Minister President Goering, the building was completely occupied by SS people. After I had entered my office, a short reddish haired man appeared, who asked me whether I was Mr. von Tschirschky. Having replied in the affirmative he told me in a short and harsh manner that "You are under arrest, come along with me." As I had been informed by Herr von Papen on our way from Minister President Goering's palace in Voss Strasse that we would be arrested on account of the events of the 30th June, I did not ask the person who was arresting me for his credentials but answered him "I just came with Herr von Papen from Minister President Goering and am informed about everything, especially, that I am to be taken into protective custody. I am at your disposal." As a result of my explanation, the man started, looked at me in great surprise and muttered under his breath "How is that possible?" I did not ponder at first over these words and repeated, although I was rather taken aback at his rude manner, "I am at your disposal immediately. I only want to take leave from my chief." Whereupon the man explained curtly and decidedly "No, that is not allowed, you are not to speak to anyone any more, but must comply with my orders." Thereupon he got hold of a paper and read out both names, von Savigny and Baron Pereira, asking "Where are these gentlemen?" I thereupon said "Herr von Savigny should be in this house, a Baron Pereira does not exist here, and has never worked here, I do not know him either, but I do remember that a few days ago there arrived an obituary notice. I am firmly convinced that the person you are looking for is dead. If you wish I can get the obituary notice for you from the files." He listened to all I had to say, but did not believe my words and insisted upon making a further search himself. He then handed me over to another SS man posted at the door, with a machine pistol at the ready. About five minutes later, together with the gentlemen von Savigny and Hummelsheim, I was ordered by this man to accompany him under the escort of three SS men armed with machine pistols, in order to be taken away.

Arriving at the lower gate entrance I saw a motor car come up, out of which two men jumped hurriedly and entered the main hall of the Vossstrasse 1 building. One of the two men I recognized immediately as an official from the Criminal Police Department, with whom I had sat about twenty minutes previously in the waiting room of Minister President Goering's Palace. He immediately came up to me, took hold of my arm and said *"I am ordered (or I have the order) to take you into protective custody."* Whereupon I replied in astonishment *"Excuse me, I have already been arrested by this man,"* who was now standing half behind me.

A sharp interchange of words between these two men now took place. They showed each other their criminal police identity card, so far as I remember, the one belonging to the first man was a metal disc, and that of the second man was a red card. In the course of this exchange of words I exclaimed to the man, with reddish hair, who had first of all arrested me, that if a muddle already existed, I would prefer to be taken into protective custody by the man who came from the Minister President, as I had already seen him and his order appeared to be more trustworthy. This man repeatedly told me that I should go with him. The reddish haired man thereupon became very strict and exclaimed, "If you offer any further resistance I shall have to resort to arms." I replied that I was offering no resistance, *but that he must understand that I was startled as I at least knew the other man by sight, whereas I did not know him at all.* Whereupon the second broke in and said "There you are, you see that my orders are correct" and pushed me towards his car. The small reddish haired man, who was very excited about the incident, dragged me back from the car and ordered the SS escort to get ready to shoot. I then addressed the second man, *who had no armed guard whatsoever*, and said, "It is senseless to cause a bloodbath here in front of the building on account of an apparent misunderstanding. I think it would be better if I went in the other car. But follow on in your own car and ascertain where I am being taken." This was finally done and the journey took us to the Gestapo building in the Prince Albertstrasse, through a courtyard to a back entrance. There another exchange of words took place between the two groups of Criminal Police officials. I again joined in this debate and suggested as a way of clearing up the misunderstanding that a man from each group should see someone in the building of higher authority, and let him decide what should be done. To guard myself, and the other two gentlemen, there were still three Criminal Police officials and four SS men available. This way out was accepted. The men eventually came back and explained that the misunderstanding was now cleared up, we could now be taken away. Whereupon we were taken by three SS men, not accompanied by the Criminal Police officials, on a longish trip through the building into the basement. There we were handed over without any comment and received the order from the SS men, on duty there, to go over and sit on a bench against the wall, in the passage. We were then forbidden to talk to each other and so we spent a few hours sitting on the bench. It would go too far to give further details about the events which took place during this time. I will therefore only limit myself to the case of the shooting of a well known person, publicly stated to have committed suicide.

The person was brought in and taken past us into a cell running parallel to our corridor, escorted by three SS men, the leader of the detachment was a SS Sturm-Hauptfuehrer, short, dark and with an Army pistol in his hand. I heard the command "Guard the door." The door from our corridor to the other was shut, five shots were fired and immediately after the shots, the Sturm-Hauptfuehrer came out of the door with the still smoking pistol in his hand, saying under his breath, "That swine is finished." Feverish excitement reigned round about, one heard frightened calls and shreaks from the cells. One of the SS men on duty, a comparative youngster, was so excited, that he apparently forgot the situation as a whole and informed me—illustrating with his fingers—that the person concerned had been liquidated through three shots in the temple and two in the back of the head.

2. *FACTUAL INFORMATION.* (For the time after June 30th)

(*a*) In Silesia, the former Gauleiter and Oberpraesident Brueckner had openly declared to the various personalities "It is preposterous that Herr von Papen and Tschirschky have not been murdered in Berlin. Had they been in Silesia, they would no longer be alive. Besides myself, the bloodhound Woyrsch would certainly have seen to it. *This neglect must yet be rectified.*" In Tannenberg I spoke shortly after this to State Councillor Udo von Woyrsch who is known to me and whom I met accidentally, and after greeting him told him that such an utterance from a State official was monstrous. I take it that this matter would interest him as his name was also mentioned. As this conversation took place shortly before the departure of our train, it had to be broken off very quickly. Woyrsch informed me that he was very much interested and that I must again tell him a few more details about it all. Unfortunately I have had no further opportunity, so far, to speak to Woyrsch about that matter.

(*b*) The utterances of a Gestapo man, whose name is known, and who himself acknowledges having taken part in the action in the Vice Chancellery, show that he and a circle of his friends very much regret that Herr von Papen and I did not lose our lives on 30.6. *Had not someone else interfered in time during the incidents in the Vice Chancellery, Papen and Tschirschky would also have been liquidated.*

(*c*) Members of Hitler's bodyguard, whose names unfortunately cannot be mentioned, as they are themselves in danger of their lives, have expressed similar opinions among themselves and also to third parties. These utterances and discussions took place in the period between September and up to the middle of December. In connection with these discussions, these same men with the help of other SS men in the service of the Gestapo have discussed the matter as to what steps should be taken to rectify the neglect. Groups were formed, of which some, in spite of any objections that might arise with regard to foreign politics on account of my belonging to a diplomatic mission and of the repercussions resulting therefrom, were of the opinion that in any case I had to be murdered. The others declared, that the way was too dangerous as I was someone who knew a great deal and had also surely put away a lot for safe keeping abroad which would be brought to light. If one is already of the opinion that I must be murdered, then one must spread beforehand all sorts of tales about me in order to defame me.

(*d*) Towards the end of October I was informed that the Gestapo circles were very happy at last, in their opinion, to possess some real solid evidence against me in connection with a case. Sommer who had been apprehended for contravention of Article 175 and who is said to have had relations with me. But first of all, these matters should be utilized at a time suitable to the Gestapo, not to proceed immediately, but to gather first of all some further evidence.

(*e*) Already shortly after my arrival in Vienna with Herr von Papen, in the middle of August, persons from various Austrian and Reich German sources approached me with the question, which was incomprehensible at the time, whether I was not pleased to be further away from malevolent circles in the Reich. When I told them of my intention to go to the Reich in order to accompany Herr von Papen, I was given guardedly to understand, that I had better remain here. During the months of October and November these rumors increased considerably, and I followed up these matters energetically.

Up to then I had always thought that one still had the impression here, based on the press notices dating back to 30.6. that people in many Reich circles were opposed to me and that the Austrian emigrants had reported adversely about me.

As a large circle of real National Socialists recognized my undoubted loyalty, the trust of these persons in me increased and they now reported to me direct, from which sources these reports directed against me originated and what was being said.

Emissaries of the Gestapo who had been sent to Austria spread various reports about me such as, for instance, "Beware of Tschirschky, he is an enemy of all National Socialists and in the end will only betray you to the Austrian Government." Another Gestapo man appeared in Vienna, approximately during the period between the 5th and 20th -12 and stated, "Tschirschky will very shortly be liquidated, as soon as he crosses the frontier he will be murdered." Again another one declared, "At last, proceedings can be taken against Tschirschky. He is also a homo-sexual person and when he enters the Reich, he will be liquidated." The same man spread reports here that Dr. Megerle would be transferred to the Embassy in Vienna. Very shortly afterwards the question Megerle was also raised in the Bund chancellery department, which gave me definite proof of the correctness regarding the reports spread about me.

I could still give a whole series of other matters, but they would make the report too lengthy.

In conclusion, the reason *why I do not feel obliged either to appear before the Gestapo or to return to the Reich at all, in spite of the extraordinary protection promised me by the Fuehrer and Chancellor,* I make the following declaration:

Already during my activities in Berlin, information has often reached me that there existed in the Reich a Terror organization which has sworn the oath of mutual allegiance until death. The men who are or who may be accepted in this brotherhood are expressly warned and given the obligation that they belong to the FEME *and that they are in duty bound when carrying out their tasks to feel that they belong in a far greater degree to the brotherhood and are only bound to Adolf Hitler in a smaller degree.* I could not have believed this monstrous thing, had the information not been given me about 6 months previously, by a man in the Reich—I wish to emphasize this explicitly, who is not opposed to the 3rd Reich, but quite the opposite, a man who in his innermost convictions believes in Adolf Hitler's mission, a Reich German National Socialist of many years standing, who himself at one time was to be won over into this brotherhood but who was able to withdraw from it cleverly. This man has assured me of his willingness to expose publicly the names mentioned to me of the members of this brotherhood, or to swear an affidavit to this effect in case these people should already be dead. He must only be assured that this Terrorist brotherhood can no longer be effective, especially as there are persons belonging to this brotherhood who are among the people who count as being the most trusted of the Fuehrer and the Reichschancellor.

I am naturally firmly convinced that the Fuehrer and Reichschancellor is not aware of the fact that these persons belong to the conspiracy. The logical consequences of this build up and the actions of this brotherhood prevent any one person from leaving it without falling himself a victim to the FEME.

I have had to give the last explanations so guardedly as I have not dared to give any names, even to my immediate superior Herr von Papen, so as not to incriminate you in case this report should fall into the wrong hands.

Vienna, 5 February 1935.

[sgd] Fritz Guenther von Tschirschky

Vienna, 4th April 1935

The Envoy Extra-ordinary and Minister Plenipotentiary on a Special Mission.

Personal!

My Fuehrer,

1. I have first to report on the development of the local NSDAP:

On 23rd March, a complete agreement was reached in Krems between Captain Leopold (retd) and Generaldirektor Neubacher. In accordance therewith, Neubacher subordinated himself to Leopold in every way and recognized him as Fuehrer for Austria. As soon as Schattenfroh is released from the concentration camp, he is to become deputy Fuehrer, while Neubacher, as the closest confidant of Leopold, will be consulted on all important questions. Furthermore, Leopold has nominated Werkowitsch to be head of the SA and Larsen to be his deputy. Major General Klupp (retd) will be taken into consultation in strict confidence. Furthermore Leopold expressed the desire that at long last, the continuous intrigues against him on the part of emigrees living in the Reich—of the type of Frauenfeld and his ilk—be stopped.

As has been reported to me the arrested Gau Leadership of Upper Austria which was betrayed by Klaushofer and gaoled has been reorganized in most districts.

The agreement reached on the question of Austrian Leadership can only be considered very pleasing.

2. On the internal political developments I report today in particular. They are brought into sharp relief by two original letters which came into my hands and which I would not like to withhold from you, my Fuehrer.

a. The Chief of Staff of the Tyrolese Heimwehr, Abel, writes: "* * * I have long enough played the part of Cassandra to my superior, and have always been right. But when I see and feel that all these warnings have been given in vain, that the gentlemen in authority can work out their policy themselves—if one can still call it that—but they must also answer for it to our Heimwehr men, who are brave beyond all praise. My conscience will not let me participate in the present political trend any longer. Our mutual friend in Trieste (Steidle) is of the same opinion. Either our high and mighty gentlemen are smart enough to find at the last moment that North—South line which corresponds fundamentally to the old Tripartite Pact or Austria will be a thing of the past, and will inescapably fall victim to partition in the coming clashes.

The announcement of general conscription in the imperialistic

—now no longer National Socialistic (?)—Reich has been a bombshell among the Tyrolese Heimwehr. Every Heimwehr man speaks of the brave decision with the greatest respect. How poorly does the cackling of a Mr. Schmitz compare with this! And our Federal Prince is out boar hunting. * * * In the meantime, the national government is happily making rapid progress in the markedly Catholic section. But our government seems to be asleep. * * *."

b. Baron Gudemus, the closest confidant of the Archduke Otto in Steenockerzeel, writes to me of my acquaintances on the 30.3:

"* * * I took many a cheerful impression back with me from Austria about the progress of our movement, but I cannot deny, that in some respects, the policy of our government worries me greatly. Of what use is it that the ringleaders of February and July 1934—in as far as they get caught—are being sentenced while the government is too weak, too "slovenly", or intentionally too tolerant, to prevent brown and red propaganda being carried on in the cinema, in the press, and on the radio, and mainly by state officials or organs of the FATHERLAND FRONT—supported and paid by the financial and other means which are pouring in in plenty from Germany. What is that learned idealist Schuschnigg actually doing? Does he not notice that Papen and the other brown agents in his own country continually spit into the hand he so consistently offers them? He must not imagine that he can thus maintain and save Austria, while Hitler rules in a Germany which is painted brown on the inside and the outside. The methods over there have—it is true—become more clever and more careful, but this makes them all the more dangerous! Terrible are also the continuous differences between Schuschnigg and Starhemberg and also the competition of their 'guards' and the remaining underground republican influence of the still existing Christian Social Clique, which has been rid of its decent members, a band of suspicious intrigers and corruptionists, who are now secretly guiding the FATHERLAND FRONT * * *.

The difficulties of the internal Austrian situation could hardly be described more clearly than in this letter.

3. The film "the Old and the Young King" was shown here for the first time a few days ago in the presence of Mr. Jannings. It provoked enthusiastic demonstrations. Particularly the scene where the king stresses the fact that "French Trash and Roman books do not mean anything to Prussia", led to vociferous demonstrations. The police wanted to resort to a ban. Together with Mr. Jannings, we explained to them that, should this film be pro-

hibited, we would resort to the complete exclusion of the whole Austrian film production from Germany. This worked. The film—except for the above mentioned part which was expunged—is being shown now and will be shown on the screen at Klagenfurt and Graz within the next few days. Yesterday I received Jannings together with a number of actors from the Burg Theater as my guests. He said he was very satisfied with his success, and we discussed in detail the plan of a film of Bismarck for the production of which I recommended Bemelburg to him as the writer of the script.

Yours respectfully,
as ever,
Papen

TRANSLATION OF DOCUMENT D–689

Vienna, 12th August 1935

The Envoy Extraordinary and Minister Plenipotentiary of the German Reich on Special Mission.

No. A 1892.

Contents: Inspection of the Consulates of Linz and Salzburg. Opening of the Grossglockner road.

(Three copies for the Foreign Office).

I returned today from a fortnight's tour, the purpose of which was to inspect the consulates and visit the provinces of Upper Austria, Salzburg, and Styria. This journey has given me a new and valuable insight into spiritual and economic conditions in these areas.

On the impressions I received from my visit to Linz and Salzburg I have already reported personally on the 1st of August. My conversation with the provincial Hauptmann, Dr. Gleisner, who, by the way, is a Bavarian by birth and is the first of the generation to live in Austria, dealt with the whole German-Austrian problem. The provincial Hauptmann gave me the impression of being of above average intelligence, and I quite believe that the surmise that he will yet be seen in other decisive State positions will prove right. On my question as to how far his own opinion concerning the possible restoration of normal relations coincides with that of the Austrian government, he answered very frankly, pointing out that the Federal government cannot bridge the present very sad gulf between the German Reich and Austria as long as they are of the opinion that the position of Catholicism seems to be threatened by the National Socialist doctrine. Despite my various objections regarding the present position in Germany, which was brought about at least in part by political Catholicism, which shows a strong similarity to the activity of Austrian political Catholicism, Dr. Gleisner stuck to his opinion. He concluded his exposition with the words: "Mr. Ambassador, I declare to you quite openly that the Austrian government has only one problem, which is to maintain our course until the cultural position in Germany is clarified."

Count Revertera, the Director of Security, spoke in a very conciliatory manner. He said he is trying to secure for the national opposition the possibility to exist, even though it is banned. (Action Reinthaler, Hueber) He said that it was necessary for the national opposition to become an Austrian affair and to break away clearly from the German party. I also had an opportunity to speak about some cases of particularly severe punishment, on which Count Revertera gave hopes of a benevolent revision.

In the evening I had assembled the representatives of the Reich German colony around me on the Postling berg. As soon as my arrival in Linz became known, people assembled to greet me in the most friendly manner. The consul told me that my visit has given a new incentive to national circles.

In Salzburg, the Reich German colony had assembled in considerable numbers—about 800 persons—and an excellent atmosphere prevailed among all the participants, who sent their greeting to the Fuehrer. As a result of the readiness of the security directorate to assist, flags and music were allowed and only the Horst Wessel song was forbidden. My visit to the provincial Hauptmann, Dr. Rehrl, left me with the impression that I was dealing with a sensible, politically moderate man, who is working earnestly for reconciliation with Germany. Dr. Rehrl repeatedly expressed to me his special thanks that the Fuehrer had, at the last moment, allowed some German cars to participate in the inauguration of the Grossglockner road. The promises of the Austrian government to exhibit both the German national emblems at the inauguration ceremonies on the Grossglockner were kept. The arrival of the Munich cars, driving in close column, with their Swastika pennant, was greeted everywhere with great joy by the population.

The ceremony of inaugurating the road has been reported elsewhere. The members of the Government avoided making any provocative remarks concerning the German relationship, so harmony was not disturbed. The Plenipotentiary General for German motor roads, Dr. TODT, whom I met next day at the Grossglockner, will report on the road itself. The nonarrival of the German car racers who had been announced was commented upon by the population with particular regret. How much it had been wished that a German car should win is proved by the demonstrative and roaring applause which went on for minutes on end, when, at the distribution of prizes, the Munich driver, Kohlrausch, was handed the third prize. As this applause could not be denied in the radio broadcast too, it has already given rise to disagreeable comments in a few newspapers.

The building of this road is without doubt a first class work of culture in which Reich German constructional firms took the main and decisive part. The Chief engineer of the Reich German firm which built the tunnel at the highest point offered to inform me of the position of the explosives chambers in this tunnel. I sent him to the military attache.

In all places and among all persons to whom I talked, I found the greatest interest in developments in Germany. In Salzburg my presence gave rise to spontaneous demonstration in favor of the Reich. In Kammer on the Attersee, which I made my last halting place, 500 National Socialists assembled in the evening with music to greet me. It was only with the greatest difficulty that it was possible to explain to these people that any demonstration would involve imprisonment or even severer punishments for them. In spite of the fact that the crowd preserved marvelous discipline and only shouted "Heil" or sang folk songs, some guests in the hotel felt induced to telegraph to the Federal Chancellory: "the German Ambassador has caused a great Nazi demonstration to take place".

All told, I got the impression that morale in the Alpine provinces through which I travelled is excellent in spite of all sacrifices and oppression and that hopes for the rise of the Third Reich and a common destiny are unbroken. The lack of information about the actual state of affairs in Germany is noticeable everywhere. Something can be done about this only if the attempt to come to an arrangement with the Austrian government along the lines I am following succeeds, an arrangement according to which part of the German press and of German literature will be permitted to enter the country.

[Sgd] PAPEN

To the Fuehrer and Reich Chancellor,
Berlin.

By Courier.

TRANSLATION OF DOCUMENT D-692

Vienna, 18th October 1935

The Envoy Extraordinary and Minister Plenipotentiary of the German Reich on Special Mission.

No. A 2391

Contents: The Austrian Governmental reshuffle.

(Three copies for the Foreign Office.)

Yesterday's cabinet reshuffle resembles a bloodless insurrection by Prince Starhemberg and the Heimwehr. It becomes clear that Minister Fey heard early of his intended dismissal and that already yesterday afternoon he had the public buildings in Vienna occupied by the Viennese Heimwehr, which is loyal to him. The government countered this measure by simultaneously reinforcing the occupation by police. While the garrison of Vienna was kept in readiness, a number of transports of the Heimwehr from Lower Austria, which is loyal to Starhemberg, were on their way to Vienna since the early morning already. This being known, the Viennese Heimwehr was finally prevented from intervening with arms, after Fey had issued the well known order late in the evening to accept the situation. This evening a big demonstrative parade by approximately 10,000 Heimwehr men from Lower Austria took place, which was used to pay homage to the Federal Chancellor and Starhemberg. It can be assumed that no further incidents will occur. The background for the government reshuffle, explained in my telegram yesterday, is being confirmed to me by the local diplomats and by many foreign journalists. Prince Starhemberg had tried to counter the sharp criticism which was being expressed openly everywhere of the line in foreign politics recently taken in Geneva by dropping all dissenting ministers and secretaries of State. Even in high bureaucratic circles whose guiding principle is only preoccupation for their own posts, people were talking during the last ten days with increasing excitement of the cul-de-sac into which they had been maneuvered by staking the fate of Austria solely on Mussolini's victory. English voices which speak very angrily of Austria's ingratitude and the impossibility of helping her in future have made a deep impression here, where the people have looked to England for a long time. To this was added the rumor which is being spread these days that Mussolini had informed Laval that he could not guarantee the Brenner Frontier by himself and that France would at last have to express herself about the effective military help to be rendered.

In this connection the communique issued in Bucharest yesterday is causing a particular stir. As is known, the Rumanian government stated in Titulescu's absence that there had never been, nor would there be, any negotiations about the passage of Russian troops. In this statement, one can see a victory of the British government against spasmodic attempts to reinforce the French-Czech-Russian front by the accession of Rumania. How far Italian pressure has constituted to making Starhemberg reshuffle the governments can not be discovered with certainty. But I understand from a reliable source that Mussolini had urgently requested the strengthening of the Austrian government's authority and that Starhemberg is personally firmly convinced of Mussolini's final victory in the Italo-British controversy.

In spite of the Vice-Chancellor's clear victory and of the diligent efforts of the Austrian press to make it appear plausible that the cabinet reshuffle was carried out for reasons of internal consolidation, the feeling of moving towards completely uncertain developments prevails among the Austrian public, including the Heimwehr circles.

From our point of view the change of affairs is only too welcome. Every new weakening of the system is of advantage even if it at first seems in fact to be directed against us. The fronts are starting to move and it will have to be our task to keep them moving. The continuation of negotiations for compensation, which I had renounced since the Geneva Declaration, seems to be entirely superfluous for the time being. It will be a good thing to strengthen the increasingly excited public feeling against the Italian trend by clever and tactful handling via the press without, however, giving the government justifiable cause for having recourse to the desperate measure of starting a new propaganda campaign against us. I would be very grateful if the Reich Minister for Propaganda were to put a few experienced journalists onto this work.

For the rest, we can confidently leave further developments to sort themselves out in the near future. I am convinced that the shifting of powers on the European Chess Board will permit us in the not too distant future to take up actively the question of influencing the southeastern areas.

[signed] PAPEN

P. S. It has been announced tonight that some of the ministers dropped have been reemployed in new posts. Neustaedter-Stuermer is to go as Minister to Budapest. Secretary of State Karwinsky will also transfer to the diplomatic service. Reither, the minister for Agriculture, will again become provisional "Hauptman" of Lower Austria.

The Envoy Extraordinary and Minister Plenipotentiary of the German Reich on a Special Mission.

No. A 2856

Contents: The development of the internal political situation (Three copies for Foreign Office.)

After the change in the Austrian government, the outlines of the new distribution of forces are showing up a little more clearly in recent days. Many things point to the fact that, while this change has strengthened the position of Prince Starhemberg, his influence is far from sufficient for reshaping Austria along his lines. In particular, it appears that the young people who have been newly taken into the cabinet, such as the Minister for Agriculture, Strobl, the Social Minister, Prof. Dobetsberger, and his Secretary of State, Znidaric, cannot be considered without further ado as members of the Starhemberg clique, and that, on the contrary, they wish to go their own way.

Within the cabinet as well as outside it, the violent difference of opinion continues as to Austria's attitude with regard to the question of sanctions. As I learn from various Ministers, the statement of Baron Pfhigl in Geneva, which was inspired by the Foreign Minister, has met with severe criticism even in the cabinet. People are rather horrified at the cooling off of relations with England and at the failure of the attempt to settle the question of the life claims of the Credit Bank, and they would prefer to get rid of Foreign Minister Berger today rather than tomorrow. As I reported, it is also true that the Ambassador in London, Baron Franckenstein, was asked to succeed Berger. He has meanwhile categorically declined to do so. Prince Starhemberg does not want to drop the Foreign Minister, who is devoted to him, without obtaining a practical reciprocal performance on the other side. He wants to take over the War Ministry so as to be able to control the entire executive as well as the Heimwehr police and security department. Only if he was allowed to do this would he agree to the Federal Chancellor getting the Foreign Office as well, as is his wish. Otherwise, so people here aver, he wants to put up his diplomatic adviser, legation counsellor, von Alexich, for this post.

As is known, Counsellor of State Funder, with whom I had a long discussion recently, made a strong attack on the Foreign Minister already at the last budget discussion. He declared to me the day before yesterday that his dismissal had already been decided upon, but was difficult to put into effect at present, as they did not want to displease Rome. Moreover Christian Social circles, too, did not agree very much with the antagonistic attitude which the Foreign Minister was continuously adopting towards Germany.

The opinions of Counsellor of State Funder, the chief editor of the "Reichspost", may be taken to be typical of the political views of a large section of the Christian Socialists and of their very influential wing of officials. In this connection, the two articles that were published last week on the question of the trials re foreign currency and on the discussion of German-French relations are also worth noting. I have reported in detail about the first of these articles, and have stressed the tone which, in spite of all criticism, is conciliatory—in which a collaboration of Catholicism with National Socialism against mutual Bolshevist enemy is demanded. Regarding the Fuehrer's conversations with the French Ambassador, the view is held here that Austria is very much hoping for an improvement in German-French relations, in Germany's as well as her own interest. Counsellor of State Funder also discussed the possibilities of a German-Austrian understanding very frankly with me. He thought that the atmosphere had fortunately diminished extraordinarily in tension during the last few months, thanks to the press agreement, and that one must take advantage of this progress in order to reach an agreement which in future would give Germany's and Austria's foreign policy a common denominator. It was in his opinion much more difficult successfully to clear up the problems lying on the surface, such as the press, refugee questions, etc., because too many forces both inside and outside Austria were interested in sabotaging such an agreement. But it should be possible to reach secret agreements which would make possible a mutual consultation in future on all questions of foreign policy that are of mutual interest.

Even though this idea of Herr Funder's does not appear to me to be realizable at present, it nevertheless proves to me how much his circles are occupying themselves with the problem of improving German-Austrian relations.

Yesterday Minister Buresch paid me a visit. The point of his elaborations was to make clear to me that, now that he was a Minister without Portfolio and no longer burdened by the difficult department of Finance, he would have much more time to devote to the decisive problem of the German-Austrian question. He too stated that one could put great hope in the young minister who had newly joined the cabinet. He obviously has notions of forming a strong party of malcontents here, under the influence of the Christian Socialists, against the Starhemberg clique.

The latter actually still seems to think that Mussolini will complete his Abyssinian adventure without loss of prestige. The Polish Ambassador Gavronski, who a few days ago had a long discussion with Herr Maudel, the director of the Hirtenberg arms factory and the most intimate friend of Starhemberg, told me that Maudel exercises a really uncanny influence on Starhemberg. With all his Jewish resentment, directed against everything that is going on in Germany, he strengthens the Prince in his Italian policy. After the manufacture of munitions for Italy had to be stopped in Hirtenberg because of Italian protests, he, Maudel, had loaded the entire factory on to the railway in order to continue work in Italy (incidentally an interesting situation for Austria's supply of munitions!). I have today, as I have so often done previously, protested against Starhemberg's latest escapade, the usual Sunday speech in Linz. The Secretary General replied with a sigh that unfortunately the Prince had an uncontrollable temperament!

The government's efforts to make conquests among the socialist laborer wings are being continued at high pressure. Not only does Starhemberg make resounding speeches to the working class population every Sunday but Dobretsberger and Zindaric are also very active in that direction. Meanwhile, well informed circles assure me that these efforts completely fail with the social-democratic labor masses. At the opening ceremony of the new, state-owned tobacco factory in Linz, a banqueting table had also been put up for "Fatherland workers". Significantly it remained completely empty!

The League of Nations delegate, Herr Rost Van Tonningln, in an interesting lecture last night praised Austria's financial reconstruction in many directions. Nevertheless it is no secret that this year's budget is anything but balanced. On the orders of the budget consultant, a deficit of 360 million schillings was wiped out within 15 minutes by decreasing expenditure and increasing income. Naturally all this is a swindle on paper. No means are available for the program to create work in the New Year, and a new appeal to the capital market is not possible this year, I am told by the President of the National Bank, Kienbock. In this difficult financial situation the refusal of the British to help in the matter of the Credit Bank is of course particularly painful.

The instability of both the internal and the external situation has led, as I have previously reported, to renewed activity by the friends of a restoration. In spite of the difficulties which this question presents in the fields of foreign and home policy, one must in no way underestimate its importance for future developments. It is certain that Prince Starhemberg is only taking up the Habsburg question in order to have his "finger in the pie". Apart from the fact that he himself cherishes great ambitions for the position of Regent, legitimist friends within the Heimwehr exist in Lower and Upper Austria only; in the Alpine provinces, on the other hand, the Habsburg question is mostly the domain of Christian-Socialist and clerical circles. Reliable sources have informed me of an exchange of opinions which has taken place on this question between the Federal Chancellor, the local Nuncio, and the Holy See. The Federal Chancellor had let the Nuncio know that the mediation of the Vatican between Austria and the governments of the Little Entante was very much desired. The Austrian Government for its part was willing solemnly to renounce any territorial revisionism, Otto von Habsberg would be prepared to make a similar declaration.

The reply from the Secretary of State of the Holy See to the Nuncio in Vienna dated the 16.11 is said to have stated that, under the present conditions, the Vatican is not in a position to institute an official action of mediation, as at the present moment it must avoid anything that might be looked upon by Germany as being a clear exposition of the Vatican for a solution of the Austrian question. It was obvious that the Holy See had to avoid everything that might make the position of the German Catholics still more difficult. In detail it is stated in this letter: Italy is now as always to be had for a legitimistic solution of the Austrian question, but could not be brought in under present circumstances. The British Government had recently rather taken up the point of view of the Little Entente and was seeking to draw Yugoslavia into her sphere of influence. Britain could not tolerate any act which meant a strengthening of Italy's position in Central Europe. Even though the position of the Little Entente was doubtful, it yet appeared that Yugoslavia saw a casus belli in the question of a restoration. For the same reasons France too did not want to touch this problem at present. The Vatican therefore recommends that the Government here should abstain from bringing the question up at the moment, but should continue the tactics of strengthening the Austrian legitimist movement which had been successful to date, and in particular secure it a prominent position within the "Fatherland Front".

I learn from the Yugoslav Ambassador that the ambassadors of the Little Entente here met and that they once again recommended to their governments that they should protest against the activity of the legitimists.

I hear from our friends in Linz that the director of security, Count Resertera, is continuing his efforts to bring about a reconciliation with the national opposition. Besides certain facilities for the imprisoned National Socialists, he is said to have made a proposal for an extensive amnesty. People are hoping that it will be realized at Christmas.

On the occasion of the session of the Diet on the 28.11., the Foreign Minister is going to give an extensive expose, and, as the Secretary General told me today, he will also touch upon the German-Austrian question.

As my exposition shows, the position on the whole is pretty confused. A further clearing up can probably only be expected when the political consequences of the Anglo-Italian conflict show up more clearly.

[signed] Papen

To the Fuehrer and Reich Chancellor,
Berlin.
By Courier.

PARTIAL TRANSLATION OF DOCUMENT D-706

[Extract from von Papen report of 21 August 1936 to Hitler]

* * * * * * *

"It has unfortunately to be noted that the wild National Socialist excesses of July 29 of this year have not had the result we expected. Austria's reapproachment to the Third Reich in the field of foreign politics is making further progress, as well as the process of the cultural collaboration of the two sister nations. One can also assume from your most recent reports that the Trojan Horse of National Socialism is bringing over greater confusion into the ranks of the Fatherland Front and particularly into the ranks of the Heimatsschutz [Home Guard]. Opposition to the normalizing of German-Austrian relations which is extremely dangerous to Austrian independence, appears nevertheless to be relatively very great; it obviously only lacks good organization."

* * * * * * *

"It appears hopeless and also impractical to us to strive to influence Austrian legitimism or the Heimwehr movement. There are, on the one hand, comparatively strong elements in Austrian Catholicism who could, with certain reservations, be called democratic. These elements, which are gradually grouping themselves round the Freiheitsbund [Freedom Union] and which are inclined basically to work for an agreement with the Social Democrats, represent, in our opinion, that group which would under certain circumstances, be inclined to bring about a revolution in internal politics in Austria."

Berlin, 1 Vossstrasse, W. 9. 4 July 1934.
Tel. A2 Flora 6941.

The Reich Chancellor's Deputy.
Dear Reich Chancellor,

Yesterday at 10 a.m. I had the honor of informing you verbally, of my attitude towards the events of the last days, after my stretch in police custody had been suspended on the 2.7 at 2100 hrs. At this time I pointed out to you that I could not possibly take my seat in the Cabinet until my honor and that of my officials had been restored.

On the 30.6. five of my coworkers were arrested, one of them was shot. My files have been confiscated, my office sealed, and my private secretary also arrested. *This is still the position at the moment.*

A procedure of this kind against the second highest official of the state could only be justified if he and his officials were guilty of complicity in the plot against Fuehrer and state.

It is in the interests not only of protecting my personal honor, but even more so of protecting the authority and cleanliness of the state, that either the guilt should be proved at once or honor be restored.

The events have become known abroad, partly in a distorted form. For this reason alone it is in the state's and my own interests that not a single hour more be lost in settling this matter.

Your soldierly sense of honor, Herr Chancellor, will tell you that the Vice Chancellor, who it is true was repeatedly ensured by Prime Minister Goering that no accusation was being made against him, cannot possibly do otherwise than to protect the honor of his officials.

The following seems to be the only possible way:

(1) The case against my officials, including the shot Herr von Bose, to be put into the hands of the Prosecutor-General immediately, on your instructions or

(2) A communique to be published, stating that the investigation had provided no evidence of any complicity in the plot, my honor and that of my officials being thus restored.

If you do not wish to embark upon the latter path, my remaining in the cabinet any longer would be an impossibility.

I had placed my position at your disposal already on the 18th and 19th of June. I can ask for my dismissal with an even lighter heart today, since it appears that the work mutually commenced by us on the 30.1.1933 now appears to be secured against further revolts. At the same time I request to be relieved of my position as Commissioner for the Saar.

I take it that you will make your decision regarding the restoration of my honor *within the next few hours.*

I remain loyally devoted to you and to your work for our Germany.

TRANSLATION OF DOCUMENT D–715

Berlin, W 9, Lennestrasse. 9.
10th July 1934.

Dear Reich Chancellor,

Our agreement of the 4th July to the effect that I was to retain my position as Vice-Chancellor until September, and was then to be employed in the foreign service, was based between us on the following condition: The immediate and complete restoration of my authority and honor, so as to enable me to remain in the service of the Reich in whatever capacity.

To this end I submitted to you on the 5th July my proposals for an official statement, explaining why the arrest of several officials of my staff had taken place and how von Bose had lost his life and averring the nonparticipation of all the members of my staff in the SA revolt. This statement requested by me was only partially passed by you and published, in as much as the release and innocence of von Tschirschky, von Savigny, and of my private secretary, Miss Stotzingen, were announced. I wish to state that my own authority is by no means restored as a result of this published announcement for since the 30th June the press of the entire world has been discussing my arrest, the events in my office, the shooting of von Bose, etc., in ever changing versions. The "Times," for instance, says on the 7th July: "After the cabinet's vacation, von Papen will not return as Vice-Chancellor. The sudden evacuation of the Vice-Chancellory was ordered merely to enable a safe to be got at which it had been impossible to open on that Saturday on which the members of the staff were arrested and Herr von Bose shot." The "Times" also prints the official statement that was published about the release of the 3 above named persons, but adds: "The statement does not mention Herr von Bose who was shot in the office while these men were being arrested." Similar statements appear in a number of the big foreign newspapers, it also being claimed from time to time that Ministerial Director Klausener had also been a member of my office.

On Saturday, the 7th July, I discussed my position with Prime

Minister Goering, who ordered the Gestapo also to release immediately Hummelsheim, a member of my office staff and to return my still confiscated private files. This order has not been complied with as yet. Herr Goering agreed with my opinion that, unless my authority is restored at once, my remaining in the cabinet even temporarily is an impossibility. I told him I wanted to go to Neudeck to ask the Reich President to relieve me of my post immediately. The Prime Minister not only agreed with me, but encouraged me to go as soon as possible. To my immediate telephonic request to Secretary of State Meissner to make an appointment for me in Neudeck, the latter replied to me that the Reich President was very much in need of rest and that I should wait a few more days for my visit. In the meantime I got an acquaintance to enquire whether the Field Marshal's health is really too bad for him to receive me for a farewell audience.

Dear Reich Chancellor, the position in which I am is quite intolerable. Even if people in Germany generally do not yet know what treatment I and my officials received, obviously in connection with the crushing of the SA Revolt, very many people do nevertheless know about it and in particular it is known everywhere abroad, because of the fact that—of all the people—a large number of press representatives were present in my office during the event. It is quite impossible for me to go on pretending to the public that nothing happened as I have done up to now. Besides, no foreign government would like to have a representative of the German Reich accredited to it, of whom it knows that—with or without the knowledge of the Reich Chancellor—he has received the above mentioned treatment.

I therefore ask you to give your guarantee to the Reich President's accepting my resignation *immediately*. And if you think it in the interests of Germany and your work, and perhaps too, in the interests of regaining the Saar, that I should be employed in the foreign service (I should have to discuss the conditions with you verbally), then the psychological prerequisites therefore would first have to be created.

Asking for a decision as soon as possible, I remain with the assurance of unaltered devotion to you.

Yours obediently,

Papen.

P.S. I am writing this letter because the Reich Chancellory informs me that you will be able to receive me today. P.

TRANSLATION OF DOCUMENT D-716

Berlin W. Lennestr. 9.
12 July 1934.

Dear Reich Chancellor,

I thought for a long time over our conversation of yesterday's date, and the statements made to me—and in particular what you told me about your intentions regarding your Reichstag speech—have occupied me constantly in view of the enormous importance of the speech and its special effect on Germany's position in the sphere of foreign politics also. I therefore feel the urge—in fact I feel it to be my duty to let you know my opinion, as I have frequently done formerly on other occasions.

You explained to me yesterday that you intend to publicly accept responsibility for everything that happened, including what happened outside the crushing of the SA revolt. Allow me to say how manly and humanly great of you I think this is. The crushing of the revolt and your courageous and firm intervention have met with nothing but recognition throughout the entire world.

What are, however, at the moment a burden on Germany are solely those events that took place outside your own initiative and without any immediate connection with the revolt, such as the examples you yourself gave me. This has been given expression particularly in the British and American press.

You, as head of the state, wish to accept responsibility even for these acts which, at a time of great mental excitement and antagonism, took place without your knowledge. However, in the interest of lessening the tension in the atmosphere, particularly abroad, it seems to me to be advisable for you not to identify yourself with individual acts—even if you do throw your authority as leader into the scales.

In this connection I once again come to the Bose case, which is naturally the one which made the greatest impression on me and which you declined, during our discussion, to clarify publicly.

You assured me yesterday that you intended to give an account in the Reichstag of the events on the 30.6. concerning me and the Vice-Chancellorship, which would not only fully restore my own authority and honor, but also that of my officials, as this is the condition for my continuing to serve you and the country. It seemed to you yesterday that, in pursuance of these aims, I am stressing my own personal interests too much, although it is actually a question of the good of Germany as a whole.

Allow me to assure you once again that my person or my position—except for the restoration of my personal honor—do not matter at all, and are only at issue insofar as the events in the Vice-Chancellery on the 30th of June are being regarded by the public as being the consequence of a breach between you and me. As I have, to date, been unable and unwilling to make any personal statements to the press without possibly forestalling your wishes, many rumors are explained that have circulated in the world for almost a fortnight, and which are intolerable to the authority of your government as well as to me. If therefore during these last few days I repeatedly asked for the clearing up of the Vice-Chancellory "affair," it was mainly in the interests of the state generally. You will understand that no official would be willing to work under me any longer, unless the Bose case is fully cleared up. I have already told you verbally the other day that the honor of my officials is my honor too. I also told you that I am convinced that Herr von Bose was in no way guilty of any treason or treachery, and I shall continue to be so until the contrary is proved to me. I know that particularly you, Herr Chancellor, will appreciate this attitude of mine, for you have always stood by your comrades, in fact have even placed yourself before your comrades.

That the Bose affair is arousing great interest arises from the fact that Herr von Bose was known to most journalists, and in particular to foreign journalists, as a result of his former work in the Reich Press Office and as head of the Prussian Press Office, quite apart from the fact that during the events in the Vice-Chancellery a large number of visitors were present, who were also bound to note my strict imprisonment which lasted until Monday. I therefore asked you at least to state that Herr von Bose had no part in the treasonable efforts of the SA revolt. I therefore ask you once again to clarify the Bose affair by a public investigation.

The world is waiting your tomorrow's speech with great excitement. The only desire of these remarks is that the success of your explanation should aid the fulfillment of your efforts to bring about the rebirth of Germany.

With unchanged admiration and loyalty

Yours
PAPEN.

TRANSLATION OF DOCUMENT D–717

Berlin W. 9, Lennestr 9.
13 July 1934.

Very Esteemed Reich Chancellor,

I hope you have received my letter of yesterday's date, and that you received it in the spirit in which it was intended.

Today I ask you, for personal reasons, to excuse me from participating in the session of the Reichstag. Yesterday you were indeed of the opinion that my staying away might create the impression that there was disagreement between us. But this impression can surely not exist, if, during your speech, you refer to the case of the Vice-Chancellery in the form in which you promised me you would.

During all these days I have behaved with the greatest possible reserve towards the outside and have shown myself as little as possible, and you will surely understand my not wanting to appear in public again until every shadow has been removed from me.

I have also asked the chairman of the Party representative in the Reichstag to excuse my staying away.

Yours Very Obediently,

PAPEN.

TRANSLATION OF DOCUMENT D-718

Berlin W 9, Lennestrasse. 9.
14th July 1934.

Dear Chancellor,

After you, last night, gave the nation and the world your great account of the internal developments which led up to the 30th of June, I feel the need to shake your hand as I did on 30th January 1933, and to thank you for all you have given anew to the German nation by crushing the intended second revolution and by announcing irrevocable and statesmanly principles.

Painful and tragic circumstances have prevented me, for the first time since the 30th January, from appearing at your side. You yourself excused me and showed understanding for the fact that a Vice-Chancellor cannot take his seat on the ministerial bench as long as he finds himself subjected to special treatment. (My confiscated files have still not been returned to me, in spite of Goering's and your own orders.)

Your statements have clearly shown that any suspicion of a connection between my person and the treasonable goings-on was an intentional libel and calumniation. I thank you for stating this.

But I am still helpless against other people continuing to make out that there is an antagonism between us and against people considering and explaining every expression of sympathy towards me as being directed against the person of the Fuehrer. I am also defenseless against again being suspected of new conspiracies if I am seen in the company of old Conservative friends, however unobjectionable their attitude may be towards you and the new Germany.

The attempts to make my position impossible are being continued. I enclose an English letter from an obviously anonymous criminal, who is already attempting to represent me as being in league with attempts to murder Goering or Goebbels. Please pass this letter on to the Gestapo.

I should therefore be grateful if you could on some occasion point out positively that, up to today, I have loyally stood by and fought for yourself, your leadership and your work for Germany.

I request you to agree to my commencing a holiday immediately to last until I am recalled from my post. Before this, however, I must already today discuss with you the settling of the Saar problem and therefore request a short interview.

In unaltered loyalty,

Yours,
Papen.

TRANSLATION OF DOCUMENT D-722

Walter, Georg, Erich Giese.

Luedenscheid, Frankenstrasse 26.
19th February 1946.

The Story of My Life

I was born in Stettin on the 24th November 1900 as the son of the foreman bricklayer, Ernest Giese. My father belonged to a trade-union, and voted for the Social Democratic party at elections.

I attended elementary school from my 6th to 14th year. Afterwards I served my commercial apprenticeship with the carrier's firm of Richard Wild, Stettin.

I was called up for the Armed Forces at the age of 17½ years in June 1918 (Grenadier Regiment No. 9 Stargard, Pomerania). I never got to the front, as the revolution had broken out in the meantime. I was discharged in January 1919 and then worked in the telegraph office at Stettin. I joined the Navy as a volunteer on the 1st September 1920, was taken on as a clerk, and served as a clerk throughout my whole service career. My units were briefly as follows:

1.9.20– 8.1.23	in Cuxhaven with coastal defense.
9.1.23–16.3.25	in Wilhelmshaven with the HQ of the Naval Station.
17.3.25–21.7.27	on board the exploration and survey ship "Meteor." Took part in the German Atlantic expedition into South Atlantic waters.

22.7.27–27.9.29	in Berlin with the Naval Command (office work).
28.9.29–16.8.31	with the fleet command on board the battleship "Schleswig-Holstein" (Naval registrar).
17.8.31–30.1.32	in the Naval Academy at Kiel (Manager of the whole office).

I retired from active service on the 30th January 1932, at the end of my 12 year term of service. My last service rank was Petty Officer Clerk.

I remained in my last post with the Naval Academy as administrative employee until January 1934. I was then transferred as administrative employee to the Adjutancy of the Supreme Commander of the Navy in Berlin. I should like to summarize briefly my work in this position:

I sat in the anteroom of the Supreme Commander as assistant to the adjutant. I received all the Supreme Commander's visitors, accepted all applications for interviews and drew up the daily list of callers for the Supreme Commander. I did not take part in any conferences, or talks with callers. The Register of all the aforesaid discussions of visitors with the Supreme Commander was kept by the Adjutant. I received the Register from the Adjutant at midday after the callers had departed, to lock it up in the joint armor plated safe. I thus had access to this Register at any time and, therefore knew about all conversations with callers, or conferences which took place in the Supreme Commander's room. In addition, all top secret matters intended for the Supreme Commander passed through a mail registry book in my charge, so that I thus gained an insight into the complete correspondence of the Supreme Commander. In my position, I was also in charge of the Motor Transport Service.

In this position, I was promoted to Regierungsinspektor [Note: corresponds to a Lieutenant in the army] on 1.11.1935, after passing the requisite officials' examinations. As a result of the extraordinary extension of the administrative section of the Navy, I was promoted, during the course of the following years, to Regierungsoberinspektor [captain], Verwaltungsamtmann [captain] and, on the 1st May 1940, to Amstrat [major]. My sphere of activity was not changed by these promotions. As, however, I had, during the course of my long naval service, gathered a certain amount of experience, I came to know the Supreme Commander, Grand Admiral Raeder, fairly well from what I saw, read and heard every day. I did not have much contact with the Supreme Commander personally—this consisted rather in my submitting to, or fetching from, him top secret correspondence. This duty also was performed afterwards by the Adjutant.

As I saw the Register every day, I learned of all measures which came from the Reich Chancellery regarding extension or future political policies. In this way, I learned of the naval negotiations with England. Raeder pressed strongly for a conclusion, primarily in order to launch, as soon as possible, the U-Boats which were already under construction. The ratio of 1:3 for the naval forces resulted from the fact that the dockyard capacity which had been calculated for the following years up to 1943/44 would not permit any further large constructions. As far as U-Boats were concerned, it was possible to build more, and the ratio in this class of ships was increased for that reason. The construction of the first U-Boats had, as is now known, been secretly prepared at the German docks in Kiel to such an extent that the launching took place shortly after the signing of the naval treaty.

I realized from the discussions and conferences which the Supreme Commander had with Hitler—and from the later talks with the Naval Operational Staff—that they were counting on a war in the year 1943/44, with the same roles as when it broke out in 1939.

All measures, the occupation of the Rhineland, the reintroduction of sovereignty in the field of armaments, the occupation of Austria, Czechoslovakia and the Memel Area, were known to me through the operational measures. I also learned, at an early date, of the preparations for the attack on Poland, as the visit of the battleship, "Schleswig-Holstein", to Danzig, had been planned accordingly. The date for the attack on Poland had been fixed for a week earlier, but was postponed owing to Mussolini's intervention.

I always learned from the Register of the discussions which the Supreme Commander had with Hitler. In this way, I noticed, among other things, that Hitler personally pressed very strongly for an increase in the Navy. Above all, he wanted still bigger ships and also very strong armament. Hitler was very well informed about the above-mentioned types of ships, and building programs of the other powers. For example, he laid particular value on strong rearmament; the then Chief of the Naval Arsenal, Admiral Witzell, often had to call on Hitler about that point.

When the war was then set going as result of the events in Poland, I learned, through the daily visits of the Naval Operational Staff to the Supreme Commander, of all current events which concerned the war at sea and also the conduct of the war on land. When the war was prolonged by the events in Russia, great pressure was exerted on Japan. The Japanese Naval Attache was also worked on accordingly.

As far as the prosecution of U-Boat warfare was concerned, their ruthless employment was backed by Hitler and also Raeder from the very first day, and was carried out accordingly by Doenitz—the Chief of the U-Boats. The number of U-Boats which served at the front was very small at first—at times there were only three to five U-Boats at the front.

I can state the following about the preparations which led up to the action against Denmark and Norway: An appointment with the Supreme Commander was frequently made for a Mr. Hagelin and another gentleman (whose name I cannot recall at present) through a party official of Rosenberg's Foreign Political Bureau; as a rule they were received immediately. I also received instructions accordingly that, in the event of a Mr. Hagelin announcing himself personally, I should always take him to the Supreme Commander at once. I then learned after a short time, that he was a Norwegian agent. The gentleman from the Foreign Political Office who frequently accompanied him and whose name I cannot recall either any more, also conversed with me and trusted me, so that I learned about the Raeder-Rosenberg discussions and about the preparations for the Norway campaign (Weseruebung). According to all I heard, I can say that the idea of this undertaking emanated from Raeder and met with Hitler's joyous agreement. The whole enterprise was disguised by the pretense of an enterprise against Holland and England. One day Quisling too was announced at the Supreme Commander's through Hagelin and was received immediately. Another part in all these negotiations was played by Lieut. Commander Schreiber of the naval reserve, who was later Naval Attache in Oslo and knew the conditions in Norway very well. He worked with the Quisling party and its agents in Oslo.

I learned the date of the attack on Russia (21st June) (Enterprise Barbarossa) already in January 1941, after Molotov's visit to Berlin. In addition I should like to mention that, in August 1940, after the rapid victory over France, all preparations were made for the attack against England. This order of Hitler's was ruthlessly carried out (confiscation of all motor barges on all rivers and the corresponding holding in readiness of personnel). The attack was intended to take place during the month of September with a suitable tide. The sudden cancellation of this enterprise came from Hitler. The Fuehrer's naval adjutant made the remark that Hitler wanted to clear up the Russian question first, a campaign of three months being expected. Then the undertaking against England was to start. An undertaking against Gibraltar, which was to start in Spain, and the occupation of the Canaries were also operationally being prepared. German Intelligence officers were already in these islands and were preparing a strengthening of the coastal artillery by making German guns available for this purpose. For the undertaking against Russia, the thing was primarily to occupy the Ukraine rapidly and later do the same to the Caucasus area because of the oil wells. I learned from Rosenberg's assistant that the staffs required for the large scale exploitation of the oil fields had already been formed.

I should also like to add that the torpedoing of the "Athenia" caused great excitement in the High Command. Raeder personally ordered the strictest secrecy. The composition of the notices for the press regarding the handling of this case was done by the press officer on the staff of the Supreme Commander, Lt. Cdr. Alfred Wolf. Lt. Cdr. Wolf worked fundamentally on Raeder's instructions and then issued to the Propaganda Ministry the notices that had been prepared in accordance therewith.

Raeder's attitude to Hitler was very caustic, and he by no means recognized Himmler as a leader, and particularly not as a military leader. During the period when Heydrich was still Chief of the Gestapo, Raeder received reports on many current problems, mainly concerning disagreements in the church, naval questions, Pastor Niemoller, etc. Raeder had no sympathy for Goering either, as he hated him as a spendthrift, boastful, and gluttonous individual.

I have written down the above statements from memory; as I have knowledge of the entire inward and outward correspondence in the Supreme Commander's office on the strength of the records and other documents, I have merely selected these few items. Naturally I could at all times give particulars of any questions that were discussed in the Supreme Commander's Office, insofar as they relate to the period previous to my dismissal on the 21st April 1942.

My dismissal from my position as an official of the Armed Forces resulted from the following two reasons:

(a) I was on several occasions strongly advised (by the Naval Administrative Department) to join the Party as soon as possible, as any further promotion to Regierungsrat [senior major] would depend on this. I refused to do so on principle. I must point out that in my parent's home I had been brought up in the spirit of the Social Democratic Party, and I have always remained loyal to this conviction. As a soldier and later as an official of the Armed Forces I always stuck to this conviction and frequently expressed this.

(b) My marriage having been unhappy for many years led to my entering upon relations with another woman, whom I intended to marry, which fact became known officially. Being a uniformed official of the Armed Forces equivalent in rank to an officer, these relations with another woman were held to be a breach of the code of honor.

Because of my irreproachable official qualifications I was granted a 50 percent pension.

I then took an industrial position, and from the 1st July 1942 until the 28th February 1944 I worked as office manager at the Differdinger steelworks at Differdinger, Luxemburg. Here I had many quarrels with the Kreisleiter in Esch, as I had stood up for Luxembergers on several occasions and had several times shown people collating for the Party the door. On the basis of an order of the Kreisleiter, every Reich German had to have some kind of function in the party, otherwise he would be expelled from Luxemburg. I remained passive, and, in spite of being 42 was appointed by the Kreisleiter an Oberscharfuehrer [sergeant major] in the Hitler Youth. As I did not take any interest, and the Hitler Youth of Differdinger was opposed to anything German, I was relieved of my post again after three months without having performed any duties. On the occasion of a large meeting, the Kreisleiter referred to me as a "mutineer" and this settled the matter for me.

As I expected further difficulties from the Kreisleiter, I kept on looking for another job, and on the 28th February left my position and took over a similar job with the "Gustloff" works in Hirtenberg, Lower Austria. I remained in this position until the 2nd of April 1945 when this area became a Russian war zone.

Until the 15th of October 1945 I was in Pondorf, Upper Austria, as a refugee, and got to Lindenscheid via Dortmund in a refugee transport. I had selected this destination so as to seek here, in the British Zone, for the possibility of finding work in industry or in connection with the Navy. When, during this time, I followed the progress of the Nurnberg trials, I said to myself that my statements might possibly be of some use, and on the 10th of January 1946 I called on the Military Government. The writing down of my career results from this call, and I have written it voluntarily.

I swear and confirm on oath that the above mentioned career corresponds to the truth, and that it was drawn up to the best of my knowledge.

[Signed] Walter Giese.

Witnessed by:
J. F. Collins,
Rank: Capt.

Witnessed by:
[Signature Illegible].
Rank: Lt. Cdr. RNVR.

TRANSLATION OF DOCUMENT D-739

CZ/29.
The Reich Protector in BOHEMIA and MORAVIA.
PRAGUE, 5th October 1940.
The representative of the Foreign Office.
Secret Reich Matter.
12.065/D.pol.2 Secret.

Contents:

The Fuehrer's decision in connection
with report of the 27th September 1940
—No. 11. 663/D, Pol. 2 Secret.

Regarding the reception of the Reich Protector and Secretary of State Frank by the Fuehrer, I have learned the following from authentic sources:

To begin with, the Minister of Justice, Guertner, gave a report on the Czech resistance movement, during the course of which he maintained that the first trial of the four chief ring leaders would shortly take place before the People's Court.

The Fuehrer objected to this procedure and declared that execution squads were good enough for Czech insurgents and rebels. It was a mistake to create martyrs through legal sentences, as was proved in the case of Andreas Hofer and Schlageter. The Czechs would regard any sentence as an injustice. As this matter had already entered the path of legal procedure it was to be continued within this form. The trials were to be postponed until after the war, and then amidst the din of the victory celebrations the proceeding would pass unnoticed. Only death sentences could be pronounced, but would be commuted later on to life imprisonment or deportation.

Regarding the question of the future of the Protectorate, the Fuehrer touched on the following three possibilities:

1. Continuation of Czech autonomy, in which the Germans would live in the Protectorate as co-citizens with equal rights. This possibility was however, out of the question, as one had always to reckon with Czech intrigues.

2. The deportation of the Czechs and the Germanization of the Bohemian and Moravian area by German settlers. This possibility was out of the question too, as its execution would take a hundred years.

3. The Germanization of the Bohemian and Moravian area by germanizing the Czechs, i.e., by their assimilation. The latter would be possible with the greater part of the Czech people. Those Czechs against whom there were racial objections or who were anti-German were to be excepted from this assimilation. This category was to be weeded out.

The Fuehrer decided in favor of the third possibility; he gave orders via Reich Minister Lammers, to put a stop to the multitude of plans regarding partition of the Protectorate. The Fuehrer further decided that, in the interests of a uniformed policy with regard to the Czechs, a central Reich authority for the whole of the Bohemian and Moravian area should remain at Prague.

The present status of the Protectorate thus continues.

The Fuehrer's decision followed the lines of the memoranda submitted by the Protector and Secretary of State Frank.

[Signed] Dr. ZIEMKE.

To the Foreign Office in Berlin.

F 17 031
& F 17 032

TRANSLATION OF DOCUMENT D-747

AFFIDAVIT OF MAX PAULY,
born on 1.6.1907 at WESSELBUREN at present at ALTONA.

1. At the time at which I took up my appointment as Commandant of the Concentration camp NEUENGAMME in November 1942, all personnel were Waffen SS. Later, in summer 1944, single men and small units came from the Army and Airforce, who were taken over by the Waffen SS. They were issued with new paybooks and clothed by the Waffen SS.

In summer 1944 the camp also got SS auxiliaries and female warders [Aufseherinnen], who did not belong to the SS.

2. In cases where camp inmates worked for the Navy, the guards were provided by the Navy, if they worked on the removal of debris in the City of Hamburg, the guards were provided by the police. Likewise the Airforce provided guards for the outposts at Porta, Helmsted and Hanover which worked for the SS Sonderinspektion I.

3. The total strength of the SS in NEUENGAMME amounted to approximately 500-600 men in November 1942. In summer 1944 this figure had increased to approximately 2500 and at the time of

the capitulation the number of SS troops employed in NEUENGAMME and its outposts [Aussenkommandos] may have been 2500-3000.

4. Replacements for NEUENGAMME came from all units of the Waffen SS, from 1944 onwards a great number were Volksdeutsche from Slovakia, the Banat, Danzig-West-Prussia, etc. Personnel were posted from all Trainings and Holding units of the Waffen SS; to name any specific unit is, therefore, impossible.

5. Due to the increasing demands of the field units of the Waffen SS an exchange of personnel took place, younger age groups were replaced by older ones. The replacement affected approximately 500–1000 men. During my term of duty from November 1942 to April 1945 approximately 4000 SS men have served at one time or another at NEUENGAMME and its outposts.

6. There was no difference in the employment of personnel, be it in the camp or as guard. A man could be transferred from the Camp staff to guard battalion at any time and vice versa, which occurred continuously.

[sgd.] Max Pauly.

Sworn before me this 15th day of March 1946 at the Mil. Gov. Prison at ALTONA.

[sgd.] A. R. Frisby, Major, RCASC,
SO II, Fin/Int, HQ Mil. Gov.,
Hansestadt Hamburg.

TRANSLATION OF DOCUMENT D-788

"DER STURMER"
No. 8, 24th February 1944.

[Extract from an article signed by Streicher.]

Whoever does what a Jew does is a scoundrel, a criminal.

And he who repeats and wishes to copy him deserves the same fate, annihilation, death.

TRANSLATION OF DOCUMENT D-789

"DER STURMER"
No. 9, 2nd March 1944.

[Extract from an article signed by Ernst Hiemer.]

We do not know whether the Jew Steinbeck is right when he phophesied to the Jewish people that for them the moon has gone down. But we know all the more certainly that the sun will go down for the Jews. Eternal night must come over the born criminal race of the Jews, so that eternal day may make the awakening non-Jewish mankind happy.

TRANSLATION OF DOCUMENT D-790

"DER STURMER"
No. 21, 25th May 1944.

[Extract from an article signed Ernst Hiemer]

Whose fault is it that millions of men are separated from their wives and children? The Jews! Who is responsible for the people having to go without so many of life's comforts and having to do the hardest work? The Jews! Whose fault is it that our towns and villages are being destroyed by enemy bombers? The Jews! Who is responsible for the heroic death of the best of our people and for the murder of countless women and children? The Jew! Yes, the Jew is the germ that has thrown the world into a disease which irrevocably leads to death unless humanity rises at the last moment after all.

But how can we overcome this danger and restore humanity to health? Just as the individual human being is able to defend himself against contagious diseases only if he proclaims war against the cause of the disease, the germs, so the world can be restored to health only when the most terrible germ of all times, the Jew, has been removed. It is of no avail to battle against the outward symptoms of the world disease without rendering the actual cause of the disease innocuous. The disease will nevertheless break out again sooner or later. The cause and bearer of the disease sees to this itself—the germ. But if the nations are to be restored to health and are to remain healthy in the future, then the germ of the Jewish world plague must be destroyed root and branch.

TRANSLATION OF DOCUMENT D-791

"DER STURMER"
No. 32, 10th August 1944.

[Extract from an article by Ernst Hiemer.]

Today it is a question of the existence or non-existence of the entire Jewish race. If Judaism wins, then it gains the domination over the entire world, which it has striven for from the very beginning. But if it loses this struggle, then Judaism will be ruined. Then the Jew will be extinguished! Then Judaism will be annihilated down to the last man!

TRANSLATION OF DOCUMENT D–792

"DER STURMER"
No. 37, 14th September 1944.

[Extract from an article by Franz Axmann]

Bolshevism cannot be defeated, it must be destroyed. And neither can Judaism be defeated, disarmed or made defenseless. It must be exterminated.

TRANSLATION OF DOCUMENT D–794

The Reich Foreign Secretary, Berlin, 2nd April, 1933.
[Initialled] 'L' [Lammers]
'Tho' [Thomsen]
[In handwriting] Submitted to the Reich Chancellor

Dear Reich Chancellor,

The Italian Ambassador telephoned me last night and informed me that Mussolini had declared himself prepared to deny, through the Italian delegations abroad, all news about the persecution of the Jews in Germany that had been distorted by propaganda, if we should consider this course useful. I thanked Herr Cerrati, also on your behalf, and told him that we should be glad to accept his offer.

I regard this friendly gesture of Mussolini's as important enough to bring it to your notice.

As I am unfortunately so hoarse, that I can only make myself understood with difficulty on the telephone, I am having to recourse to this written channel.

With best greetings I remain, dear Reich Chancellor,

Yours faithfully,

[Signed] NEURATH

To the Reich Chancellor,
Herr Adolf Hitler,
Reich Chancellery.

TRANSLATION OF DOCUMENT D–802

"DER STURMER"
No. 12, March 1938.

Greater Germany.
The Jewish domination is broken!

Our God makes sure that the power of the Jews does not grow up to heaven itself. What was only a dream up to a few days ago, has now become reality. The sister nation of Austria has returned home to the Reich. The world Jew has lost yet another battle. He still lives in the Reich in the midst of Germans and he still lives in the midst of the German and Austrian people. The power he had has, however, been taken from him—his domination is broken. We are approaching wonderful times—a Greater Germany without Jews.

Julius Streicher.

PARTIAL TRANSLATION OF DOCUMENT D–804

[Extract from Skl.File. "Fall Athenia"]

1st Naval Operational Staff.

Berlin, the 16.9.39.

Decree.

1. To M. Naval Attache.

The Foreign Office has had a report of the meeting between the Commander in Chief of the German Navy and the American Naval Attache on the 13.9.39 passed on to it by telephone; it is worded as follows:

"On the 16.9 at about 1300 hours, the Commander in Chief of the Navy received the American Naval Attache on the advice of the Reich Foreign Minister, and told him more or less the following: He had intended for some days already—as he knew—to write him to visit him, in order to tell him clearly his opinion about the sinking of the "Athenia", in view of the continued baiting about it. However he had waited for the return of these of the submarines that had been employed in waging war against merchant ships, at the time in question which might possibly be concerned, in order to receive reports about their activity personally. He repeated most emphatically that the sinking of the "Athenia" was not caused by a German submarine. The ship nearest to the place of the incident was at the time actually situated about 170 sea miles away from the place of the sinking. Besides this, the instructions according to which the commanders had to wage war against merchant shipping had after all been published. Up to date, in no case had these instructions been even slightly disregarded. On the contrary, an American captain reported a short time before about the particularly courteous and chivalrous behavior of the submarine commanders.

He authorized him to make official use of his statements through his embassy. It is left to the Naval Attache to report this to the Naval Attache in Washington.

Signed: Neubauer.

Ist Naval Operational Staff. 16.9.39.

II to sto.I
Iu

Copy.

Ic.

sgd: Neubauer.

III. Ica z.d.A. Ic.[Initials].

Copy

Berlin the 20.9.39.

To:

3rd Dept.Naval Operational Staff.
1st Dept.Naval Operational Staff.

American Naval Attache Berlin to Washington:

Grand Admiral Raeder told me today the 16.9 that he had now received the reports from all submarines, as a result of which it has definitely been ascertained that the steamer "Athenia" was not sunk by a German submarine. He emphatically stressed the marvellous discipline of his submarine commanders; he had nevertheless delayed notifying me until the reports of all submarines which could possibly have been involved in the "Athenia" incident had been received. Grand Admiral Raeder added that the chivalrous conduct over and above the demands of the laws concerning prizes which is so much praised by the neutrals will be difficult to carry out, in view of the arming of merchant ships by the British.

3rd Dept. Naval Operational Staff B.
(B—Command)

Distribution: Ic 1st Naval Operational Staff, Ia, Iu.

Naval Operational Staff 7244 secret.

TRANSLATION OF DOCUMENT D-806

[Extract from Anlagen Skl Ib]

Immediate
By special messenger. *Secret* Berlin 11/11/1936.

1. Subject: U-Boat Construction Program.

On the 27th October 1936 I made my decision on how to make use of the U-boat tonnage that was for the time being still at our disposal in accordance with the London Naval Treaty of 1935, and on orders to be placed for the immediate construction of the new U-boats U 41 to U 51.

The military and political situation urgently demands that the extension of our U-boat fleet should be taken in hand immediately and completed with the greatest energy and dispatch, as it is a particularly valuable part of our armament at sea and possesses special striking powers.

I therefore impose the obligation on all naval departments concerned to do everything to make sure that the U-boat fleet is entirely completed, taken into commission and prepared for action *in the shortest possible space of time,* and to remove all obstacles and difficulties in the way of this aim by the strongest pressure on the armament industries participating in the construction and by the employment of all other suitable measures.

I order in particular that the requirements of the extension of the U-boat fleet are in every case to be given absolute priority over export orders.

[Pencil note]: It is to be reported to me after renewed negotiations with the firms and after exerting the strongest pressure when the seven 500 ton boats and the eight 740 ton boats will be completed.

C in C of the Navy.

2. Send copy of 1 to:
A (4 copies)
B (4 copies)
M Wa (4 copies)
M P A
C
K (3 copies)
E
Engineer
Naval Adjutant at War Office
Fleet.
Chief of the U-boats
Stat O.
Stat. N.
T.J.
A.J.
S.M.J.
Z.J.
Dockyard
Arsenal
E.A. U-boats.

[Extract from I Skl I:]

Berlin, 31st January 1940.

Naval Ops. Staff.
1st Naval Ops.Staff ia 4307/40 secret
referring to 4306 and 4305

Memorandum.

I.
Previous Ref:—R.S. 205, 294 and 295.
Subject: Sinking of S/S "Deptford," "Thomas Walton," and "Garoufalia".

It is proposed in replying to Norwegian notes, to admit only the sinking by a German U-boat of the S/S "Deptford", but to deny the sinking of the two other steamers. According to the data attached to the notes presented by the Norwegian Government, the grounds for suspecting a torpedo to have been the cause of the sinkings do in fact appear to be equally strong in all three cases. According to the Norwegian Foreign Minister's speech of the 19th January, the suspicion in Norway of torpedoing by a German U-boat appears, however, to be strongest in the case of the S/S "Deptford", whereas in the other two cases it is at least pretended that the possibility of striking mines has to be taken into account; this is considered improbable in the case of the S/S "Deptford" anyhow because other vessels had passed the same spot.

The assumption that the S/S "Thomas Walton" struck a mine may be supported, since the torpedoing occurred towards evening and nothing was observed and since furthermore several explosions took place in the same area owing to misses by torpedoes.

In the case of the S/S "Garoufalia" a denial appears expedient, if only because a neutral steamer is concerned, which was attacked without warning. Since it was attacked by means of an electric torpedo (Eto), no torpedo wake could be observed.

II. To the Foreign Office.
Berlin W. 8.
Previous Reference R.S. 205, 294 and 295

Subject: Sinking of the Steamships "Deptford", "Thomas Walton" and "Garoufalia".

It is suggested that the Norwegian notes regarding the sinking of the Steamships "Deptford", "Thomas Walton" and "Garoufalia" be answered somewhat in the following manner:

As a result of the communication from the Norwegian Government, the matter of the sinking of the steamships "Deptford", "Thomas Walton" and "Garoufalia" has been thoroughly investigated. The following facts have thus been ascertained:

The steamer "Deptford" was sunk by a German U-boat on the 13th December, as it was recognized as an armed enemy ship. According to the report of the U-boat Commander, the sinking did not take place within territorial waters, but immediately outside. The German Naval Forces have strict instructions not to undertake any military operations within neutral territorial waters. Should the U-boat Commander have miscalculated his position, as appears to be borne out by the findings of the Norwegian Authorities, and should Norwegian territorial waters have been violated in consequence, the German Government regrets this most sincerely.

As a result of this incident, the German Naval Forces have once again been instructed unconditionally to respect neutral territorial waters. If a violation of Norwegian territorial waters has indeed occurred, there will be no repetition of it. As far as the sinking of the steamships "Thomas Walton" and "Garoufalia" is concerned, this cannot be traced to operations by German U-boats, as none of them were in the naval area indicated at the time of the sinkings.

III. Copy of II to OKW Foreign Dept.
IV. Carry forward I ia
1st Naval Operational Staff Ia Iu Ic
I i. I ia.

Berlin, 8th January 1940.
Secret.

Naval Operation Staff
1st Naval Operational Staff I i 2569/39 secret.

Decree.

1. To the Foreign Office.
O.K.W. Foreign Dept. (for information)
Previous reference R.S. 1105 of 26.12.1939.
Subject: Sinking of the Greek steamship "Garoufalia."

It is suggested that a reply be sent to the Greek note to the effect that nothing is known to the German authorities about the sinking of the steamship "Garoufalia" by a German U-Boat.

If, either through communications made to the Norwegian Government as a result of the letter 1st Naval Operational Staff 23808/39 secret of 21.12.39 or through the testimony of witness, the presence of a German U-Boat in the area in which the "Garoufalia" was sunk has already become known, it is suggested to answer the Greek note to the effect that a blacked-out ship bearing no illuminated neutrality markings was sighted by the U-Boat in the area concerned and was therefore not regarded as a neutral ship. It may therefore be possible that the steamship was mistaken for an enemy auxiliary warship.

II. Copy of I to Military Attache 3rd Naval Operational Staff.

III. Copy of II to 1st Naval Operational Staff.
Io, Iu.

Iu Ic Ii
for I ia.

TRANSLATION OF DOCUMENT D–809

"DER STURMER"
No. 4, p.3. January 1939

[Article "Jewish Cry of Revenge" by Ernst Hiemer.]

The Jewish problem is not yet solved, nor will it be solved when one day the last Jew will have left Germany. Only then, when world Jewry has been annihilated, will it have been solved.

TRANSLATION OF DOCUMENT D–810

"DER STURMER"
No. 17, p.6. April 1939.

[Leading Article "Twelve Suggestions" by Karl Holz.]

This is the effect of the 12 suggestions which the wisest of the Jews gave to the members of their race 50 years ago. And when once again 50 years will have passed, then the Jews will not come together and announce that they are now 'the sovereigns of the world.' Then, perhaps, their graves will proclaim that this people of murderers and criminals has after all met its deserved fate.

TRANSLATION OF DOCUMENT D–811

"DER STURMER"
No. 18, p.3. May 1939.

[Leading article "The Case of Budenko."]

The Sturmer takes and always did take the same stand towards Bolshevism. But the Sturmer is not of the opinion that one should turn away from Bolshevism. The world must occupy itself with Bolshevism. These Jewish gangsters and general criminals must again and again be pointed out to the world in all their dangerousness and vileness. A punitive expedition must come against the Jews in Russia. A punitive expedition which will provide the same fate for them that every murderer and criminal must expect. Death sentence and execution. The Jews in Russia must be killed. They must be exterminated root and branch. Then the world will see that the end of the Jews is also the end of Bolshevism.

TRANSLATION OF DOCUMENT D–812

"DER STURMER"
No. 18, p.9. May 1939

[Article "The Old Complaint" by Dr. H. E. (Hans Eisenbeiss)]

The Jewish problem will only then be solved completely when the Jews have completely disappeared from amongst all nations.

TRANSLATION OF DOCUMENT D–813

"DER STURMER"
No. 21, p.4. May 1939.

[Leading Article "Jews Emigrate" by Ernst Hiemer.]

Everywhere self-sacrificing men will rise against Jewry. Thousands will educate the masses. One day all peoples will rise up against the world's enemy. Then the Jew can get no more steamer tickets nor immigrate into another country. Then the Day of Judgment will have arrived. Then will the criminal Jewish race be forever eradicated.

TRANSLATION OF DOCUMENT D-814

"DER STURMER"
No. 21, p.9. May 1939.

[Article "The case of Taussig."]

The "Taussig Case" shows us once again with fearful clarity that the Jew is the deadly enemy of non-Jewish mankind. The world will only then be saved when Jewry is completely eradicated.

TRANSLATION OF DOCUMENT D-815

"DER STURMER"
No. 38, p.9. September 1939.

[Letter of Karl Friedrich to the Sturmer.]

The Jewish people ought to be exterminated root and branch. Then the plague of pests would have disappeared in Poland also at one stroke.

TRANSLATION OF DOCUMENT D-816

"DER STURMER"
No. 49, p.8. December 1939.

[Article "Prostitution in Lodz."]

The immorality in the city is hardly describable. It will only end when Jewry is wiped out root and branch.

TRANSLATION OF DOCUMENT D-817

"DER STURMER"
No. 51, p.4 December 1939.

[Article "Secrets of Parisian Love Life."]

The day will come some time when the French will awake. Then they will slay the Jews in masses.

TRANSLATION OF DOCUMENT D-818

"DER STURMER"
January 1940, Issue No. 1

[Page 2]

* * * The time is near when a machine will go into motion

which is going to prepare a grave for the world's criminal—Judah—from which there will be no resurrection.

TRANSLATION OF DOCUMENT D-820

"DER STURMER"
No. 9, p.2. February 1940.

At the end of this Jewish war the extermination of the Jewish people will have been brought about.

TRANSLATION OF DOCUMENT D-821

"DER STURMER"
No. 13, p.5. March 1940.

The Jew is a devil in human form. It is fitting that he be exterminated root and branch.

TRANSLATION OF DOCUMENT D-822

"DER STURMER"
No.27, p.3. 4th July 1940

[Article "The truth about the Pogroms."]

So, thus pogroms originate. And what right feeling and right thinking person could fail to understand this mob which defends itself against murderers. Who can, looking back, reproach all those who, in the course of centuries, slew Jews who could be convicted of desecration of churches, of usury, of ritual murders etc. Pogroms were at all times demonstrations of the will of the people which sought the good and shunned the bad. Pogroms at all times were the exactment of an atonement which followed upon Jewish outrages, and therefore were right and lawful. The last and biggest pogrom will bring salvation to the world, the salvation from Satan.

TRANSLATION OF DOCUMENT D-823

"DER STURMER"
No. 29, p.6. 18 July 1940.

Ahasver, the eternal Jew, wandering from country to country—when will finally this tormentor of people be finished off?

TRANSLATION OF DOCUMENT D-824

"DER STURMER"
No. 37, p.5. 12 September 40.

["The warning of the Talmudists. Can one destroy the Jewish Religion?"]

The Centralblaad voor Israelitien appearing in Amsterdam says in No. 3 of 21 March 1940, in Russia "despite 22 years of unceasing effort it has not been possible to successfully combat the Jewish religion." It had been impossible because the Jewish religion was the bearer of high ethical and universal ideas. So says the Jew. We, however, say "The Jewish religion" can only be exterminated if one kills the Jew. For the Jewish religion is the Jew himself.

TRANSLATION OF DOCUMENT D-825

"DER STURMER"
No.37, p.9. 12 September 40.

Not for nothing did the Fuehrer say: "A war in Europe will bring about the complete extermination of the Jews in this part of the world."

TRANSLATION OF DOCUMENT D-826

"DER STURMER"
No. 45, p.10. 7 November 1940

[Article by E. Jelinek—"Liberty, Equality, Fraternity."]

This Germany will, however, not be soft when again setting in order its spheres of interest. The Jewish rabble will be exterminated like weeds and vermin so that it can never again disturb the bloodily fought for peace of the European peoples.

TRANSLATION OF DOCUMENT D-827

"DER STURMER"
No. 2, p.7. 9 January 1941

[Article "Jewish Sacred Relics."]

Those were the Jewish "Sacred relics" which the Jews are now moaning for. Now judgment has begun and it will reach its conclusion only when knowledge of the Jews has been erased from the earth.

TRANSLATION OF DOCUMENT D-828

"DER STURMER"
No. 31, p.2. 31 July 1941.

[Leading article by Streicher.]

The Jew in the Bolshevic-Russian Reich tortured on as before, drew the skin of the victim from his body and celebrated blood orgies until that day that has now come. The end of this day, however, will bring the annihilation of these murderers of humanity.

TRANSLATION OF DOCUMENT D-829

"DER STURMER"
No. 33, p.1. 14 August 1941

[Leading article by Streicher.]

The cemeteries in which people are buried who were destroyed by Jews will only have become places of rest when the last trace of the eternal Jew has been obliterated from this earth.

TRANSLATION OF DOCUMENT D-830

"DER STURMER"
No. 33, p.2. 14 Aug 1941.

[Article—"The Devil in the Soviet Hell."]

Behind the German Wehrmacht, however, a new, awakened Europe is marching. And this new Europe will see to it that the Jewish devils of the Soviet hell are annihilated for all time.

TRANSLATION OF DOCUMENT D-831

DER STURMER
No.36, p.2. 4 Sept 1941

[Leading Article by Streicher]

The source of the world's disaster will be done away with forever only when Jewry in its entirety has been annihilated.

TRANSLATION OF DOCUMENT D-832

DER STURMER
No.52, p.2. 25 December 41

[Leading Article by Streicher]

If the danger of the reproduction of that curse of God in the Jewish blood is to finally come to its end, then there is only one way: the extermination of that people whose father is the devil.

TRANSLATION OF DOCUMENT D-841

Deposition of WALTER KURT DIETMANN

Deposition on oath of WALTER KURT DIETMANN, male, of Nauen, Berlin, Graf Arco-Str 19, sworn before me, Frederick Michael Warner, Captain, Gen. List, of War Crimes Investigation Unit, at Kiel, on 3rd May 1946.

I was Naval-Administration-Inspector (Mar.-Verw.Inspector) and O i/c of the Naval Quartermaster Stores in Libau in Latvia.

I held this position from beginning of August 1941 to the end of March 1942.

The Jewish population of Libau at that time was supposed to be about 7,000 people.

Up to the end of March 1942 many thousands of those had already been "evacuated" by the Gestapo and the Latvian Police.

Evacuated was the local expression for the annihilation of these people.

All Jews were registered. When a new lot was evacuated it happened in the following way:

The Latvian Police fetched the Jews out of their houses, put them on lorries and drove them to the Naval Port about 6-7klm. outside the town. Later on these people had to march and were not taken anymore in lorries to that place.

In the Naval Port these people were then shot with machine-guns. This was done by the Gestapo and the Latvian Police. The people of course got their orders from the German Gestapo.

I personally didn't witness these incidents but comrades told me all about them.

Some of the Jews before they were shot worked for the Navy.

About 80,100 people worked in the Quartermaster Stores every day.

About 100,150 people worked in the Town Major's Office every day.

About 50 people worked at the Local Naval Building Office every day.

Through these contacts and through personal visits of Jews in their houses I heard a lot regarding these terrible happenings in Libau during these months.

I personally went to my superior, Festungs-Intendant Dr. Lancelle, and before that I also went to another superior, the O i/c of the Hospital Administration (Lazarett-Verwaltungs-Vorsteher) Nuetler, both were Naval Administration officials. I pointed out to them these already mentioned awful happenings.

The answer I got was that they couldn't do anything and that things like that were best overlooked.

The Assistant Naval Administration Officer (Marine-Verwaltungs-Assistant) Kurt Traunecker accompanied a transport of clothing from Kiel to Libau. He stayed a few weeks in Libau and he definitely disapproved of the conditions there regarding the annihilation of the Jews.

He then went back to Kiel to the Local Quartermaster Stores.

There again he showed his disapproval of what he had seen and thereupon was ordered to appear at the Naval Administration H.Q. (Marine-Intendantur). Whom he saw there, I don't know, but it was made clear to him that these occurrences were not true and therefore he should not talk about them anymore, otherwise he would get into serious trouble.

My personal opinion is that the higher formations of the Navy in Kiel and in other places in Germany must have had knowledge of these terrible conditions.

In my opinion directly responsible for the incidents in Libau were—

The Oi/c of the Police, Obersturmbannfuehrer of the SS Dr. Dietrich.
Police-Lieutenant and Adjutant Graf.
Police-Lieutenant Seiffert.
Untersturmfuehrer of the SS and leader of the Department Kuegler.
Gestapo-Official and SS Oberscharfuehrer Handke.

Witnesses for these occurrences are the following:

Naval-Administration-Inspector (Mar.Verw.Insp) Paul Roepstorf.
Naval-Administration-Assistant (Mar.Verw.Asst) Josef Glaser.
Naval-Administration-Assistant (Mar.Verw.Asst) Max Gohr.
Naval-Administration-Secretary (Mar.Verw.Sekr) Kurt Traunecker.

I can give you further details, addresses, etc., concerning the witnesses, further witnesses and the accused, after I had access to my luggage, which at the moment is in Nuemauenster.

[signed] Kurt Dietmann.

Sworn by the said Deponent WALTER KURT DIETMANN, voluntarily at Kiel, on 3rd May 1946, before me Frederick Michael Warner, Captain, detailed by C.inC. British Army of the Rhine.

[signed] F. M. Warner, Capt.
Investigating Officer.

TRANSLATION OF DOCUMENT D-843

Telegram (Secret Code V)
Oslo, 28th March 1940, 24.00 hours.
Arrived: 29th March, 1940, 5.45 hours.
No.410 of 28th March.

Most urgent!

For the Reich Minister and Secretary of State, with reference to Telegram No. 406 of 28th March.

1. When I charged Foreign Minister Koht, in today's discussion about submarine "U 21", with last week's operations of British warships in Norwegian territorial waters, he declared that the Norwegian navy had in every case succeeded in preventing the carrying out and conclusions of warlike actions even if one could assume that an attempt was made in that direction. He also believed that the Norwegian navy would in future succeed in protecting and maintaining shipping in Norwegian territorial waters. He added, in confidence, that the British behaviour seemed to him to be intended [Marginal Note: Group Missing] and to provoke Germany into starting warlike operations herself, which would give the British a free hand in Norwegian waters. The British apparently did not want to take upon themselves the responsibility for openly violating Norwegian territory and Norwegian territorial waters without cause, and for carrying out warlike operations in them.

2. The future will show whether Foreign Minister Koht sees things quite right. It definitely appears, however, as I have frequently pointed out, that the British have no intentions of landing, but that they want to disturb shipping in Norwegian territorial waters, perhaps, as Koht thinks, in order to provoke Germany. Of course, it is also possible that the British behaviour last week, which I have pointed out as well, will grow into more or less regular and increasing interference in territorial waters

in order to strike a blow at our iron ore shipments along the Norwegian coasts.

3. The firm intention of Norway to maintain her neutrality and to insure that Norway's neutrality rules are respected can be accepted as a fact. The internment of the submarine "U 21" can be traced back to these fearful endeavours to prevent any doubts arising as to this intention of Norway's; this does not of course affect all our criticism of Norway's attitude.

To this belongs also the order to fire given to Norwegian antiaircraft units and the navy, of which the English were notified too, on the occasion of the Norwegian protest against the British trespass on Norwegian territorial waters.

4. As seen from here, the attempt to fortify Norway further in her desire to keep neutral and thus prejudice her gradually more and more against England would seem worth while. While doing this, we might state that any deviation from this, harmful to our interests, or the inability to maintain this line, would confront us with serious decisions.

Braeuer.

TRANSLATION OF DOCUMENT D–844

TELEGRAM
(Secret Code V)

Stockholm, 4.4.1940.
Received, 5.4.1940
No. 383 of the 4.4.1940

taken down by telephone
MOST URGENT

TO BE KEPT SECRET. Foreign Minister Gunther today asked me to call on him in order to discuss the political situation. He started by saying that lately much had been written and said about threatened action against Scandinavia by the Western powers. On the other hand, the Swedish government had information that in Northern Germany, particularly in Stettin and other Baltic ports, large numbers of troops were concentrated. He attached value to the German government receiving complete clarity about the real situation which the Swedish government considers to exist, and had caused the Swedish ambassador in Berlin to make an explanation to this effect to Secretary of State Weizsacker. The Swedish government had no reason at all to believe in an impending action by the Western powers against Scandinavia. On the contrary, on the strength of all official reports and other information, it considered the situation lately to be much calmer. In particular, Gunther did not at all believe in the possibility of the carrying out of a British coup against the Swedish ore area via Narvik. Sweden had at this moment a very strong armed force in the north which could frustrate any such attempt, and Sweden was determined, now as ever, to repel by force of arms any violation of her territory. Without being a prophet, Gunther did not believe in a British act of violence against Norway either, though of course he could not speak of this with as much certainty as with regard to Sweden; at any rate, however, the Norwegian government, with which he was in close contact, was of the same opinion. Ore transports from Narvik were too small in relation to Sweden's total deliveries of ore to Germany, which would soon be possible again in the Baltic also, to counterbalance the great risk for Britain. In this respect Gunther thought the threatening elaborations in the allied press were more likely an attempt to provoke Germany.

Where Russia was concerned, also, the Swedish government had no fears. Gunther mentioned in this connection that the project of a Nordic defense pact was not a subject for speedy development and any threatening attitude towards Russia was out of the question. Moreover the Finnish government's matter regarding the project which it had put forward during the closing stage of the peace negotiations was not even known in detail to the Swedish government.

In conclusion, Gunther requested me to report his statements to my government, and repeated that the Swedish government attached the greatest value to the German government not erroneously getting the impression of the existence of circumstances which might evoke the possibility—he would not use the word necessity at all—of special measures by Germany with regard to Scandinavia.

Gunther's carefulness in expressing himself gave me the impression that he was filled with a certain anxiety about a possibly impending German move in a northerly direction. Possibly, today's announcement of the "Aftonbladet" on the report by the journalist Steer to the "Daily Telegraph" played a part in this (I refer you to today's D.N.B. [German News Bureau] report Stockholm). A remark by the cabinet secretary Boheman points to this, who jokingly asked me before I entered the minister's room whether I had read the terrible news in "Aftonbladet" too.

TRANSLATION OF DOCUMENT D-845

Telegram
(Secret Code V)

Stockholm 5 April 1940 14.40 hours
Received: 5 April 1940 18.35 hours
No. 386 dated 5. 4.

Most urgent!

Info for O.K.H.

Serious anxiety exists in Swedish military and government circles regarding possible German military preventive measures in Scandinavia against the announced intensification of war measures by the Western Powers. Swedish and Norwegian military government authorities consider it unlikely that military measures will be taken against Scandinavia by the Western Powers. Press reports on this subject by the Western Powers are attempting to provoke Germany. Millitary Attache.

BELOW.

Produced in 5 copies, of which have been delivered:
No. 1 to Pol. I g with 3 copies.
2 to Reich Minister for Foreign Affairs.
3 to St. S.
4 to B.R.A.M.
5 to U.St.Pol.
This is No. 5

TRANSLATION OF DOCUMENT D-846

Telegram
(Secret Code V)

Copenhagen, the 26th Sept 1939 19,36 hrs
Received: the 26th Sept 1939 20,45 hrs
No. 168 of the 26.9.

With reference to Ministerialdirektor Wiehl's telephonic directive of the 21st Sept. and to the telegraphic report of the 25th Sept. No. 167.

Sinking of Swedish and Finnish ships by our submarines have caused great worry here owing to Danish food transports to England. If Government circles here only make reports containing reservations, this reserve by no means represents the real feeling, but rests on directives from the governments dictated by repercussion in foreign politics. The Foreign Minister expressed serious disquiet to me. In accordance with orders I again pointed out that we must reserve the right to use such measures at all times against imports to England as the British for their part use with regard to our imports from neutral countries. But

I think that our interests would, at least at the present stage, suffer political damages here which it will be difficult to repair if normal Danish transports were in fact to be sunk by German naval units.

RENTHE FINK.

Prepared in 13 copies of which—

No. 1 has gone to W (working staff)
2 has gone to the Reich Foreign Minister
3 has gone to St.S.
4 has gone to Head of the Organization abroad (AD)
5 has gone to B.R.A.M.
6 has gone to Dir Pass
7 has gone to Dir.Pol.
8 has gone to Dg. Pg.
9 has gone to Dir. W.
10 has gone to Dir. Legal.
11 has gone to Dir. Press.
12 has gone to Dir. [?]
13 has gone to Personal staff (Hewel)

TRANSLATION OF DOCUMENT D–847

Telegram (Secret Code V)

Copenhagen	26 March 1940	9.00 hours
Received	26 March 1940	11.35 hours

No. 216 dated 25-3

The King of Denmark to-day summoned me to his presence in order to tell me *what a deep impression the sinking of six Danish ships last week, apparently without warning, had made on him and on the whole country.* Sorrow at material losses could always be got over finally, but the heaviest burden was the loss of life of so many Danish seamen, who were only sailing in the service of their country. He asked me whether it was not possible to arrange for sufficient time for the saving of lives if of nothing else. I replied that the reason why the ship sank had not yet been elucidated. In any case, our naval units always kept strictly to the Prize regulations, but vessels sailing in enemy convoy or in the vicinity of the same took upon themselves all the risks of war; insofar as any sinkings had been carried out without warning, it seemed that they could be traced back to the German notifications made to date. At the same time I pointed out the dangers of the waters around the British coast, where neutral shipping is inevitably involved in compromising situations on account of measures taken by the British. The King assured me emphatically that none of the Danish ships were sailing in convoy, but it would probably never be possible subsequently to clear up without possibility of doubt the incidents which had led to the sinking.

It was now a question of finding a way to reduce as much as possible future loss of lives. Although I expressed my scepticism as to whether, in view of the situation created by England, the dangers to which the crews of Danish ships were exposed during journeys to and from England could be diminished, and expressed my conviction that insecurity in British waters would increase as time went on, the King continued to maintain that something had to be done immediately to avoid any further losses. The stopping of shipping to England would be a catastrophe for Denmark. In order that no time should be lost, he had chosen the path of speaking with me personally and requested me to bring the contents of this conversation to the Fuehrer's knowledge.

The conversation was carried on by the King without bitterness or reproaches, his statements were filled only with deep concern for Denmark and the feeling of great responsibility towards the fate of Danish seamen. Actually the King did not expressly mention the conversation proposed last week in Berlin by the Danish Government regarding greater safety for Danish shipping, but without doubt he had in mind to accelerate these negotiations.

RENTHE-FINK.

[Marginal note:]
Produced in (?) copies
copies for distribution, Nos. 1 to 13.
1. R.S.
2. R.A.M.
3. S.S.
4. Chef. A.O.
5. B.R.A.M.
6. U.S. Pol.
[remainder mainly illegible]
Copy No. 6.

TRANSLATION OF DOCUMENT D–849

Berlin, 12th April, 1941.

Secretary of State No. 250

Telegram to the Reich Foreign Secretary

Grand Admiral Raeder who this morning could not get into telephonic communication with the Reich Foreign Secretary, therefore approached me with the urgent request to bring about a final decision on the following two problems:

(1) Consent to German Naval Forces in the western part of the Atlantic Ocean being allowed to operate freely as far as the internationally customary three mile boundary.

(2) The cancellation of the preferential treatment which American merchant vessels have been enjoying so far in our warfare at sea.

The Grand Admiral motivated the urgency of his request as to (1) with the necessity for now issuing the necessary orders to the U-boats concerned or for employing them in another theatre of war, as to (2) with the expectation that American merchant vessels would now also appear in the Red Sea with war material.

[signed] Weizsaecker.

Copies to:
Under Secretary of State Political Branch
Dg. Pol.
Ambassador Ritter.

TRANSLATION OF DOCUMENT D–850

4 Copies, this is No. 3

Ambassador Ritter.

Top Secret

General Jodl informs me that at the recent interview which Grand-Admiral Raeder had with Hitler, the more extensive orders issued to the naval forces, as they were discussed in connection with the Raeder interview, have been postponed until further notice.

Also, permission to attack US merchant vessels within the framework of the prize laws has not been granted.

The Fuehrer wishes to avoid anything which could lead to incidents with the United States.

[signed] RITTER

Salzburg, 9 June 1941
To Ambassador Eisenlohr
Ambassador Leitner

TRANSLATION OF DOCUMENT D–851

Submitted respectfully to the Secretary of State with the enclosed memorandum.

The Chief of the Operational Dept. of the Naval Command, Captain Fricke, informed me by telephone that the Fuehrer was already dealing with this matter. The impression had, however, arisen here that the political connections had again to be gone into and brought to the Fuehrer's notice anew. Captain Fricke had therefore sent Lieutenant-Commander Neubauer to the Foreign Office in order to discuss the matter further.

Berlin, the 3rd September 1939.

[signed] Albrecht.

The question of an unlimited U-boat war against England is discussed in the enclosed data submitted by the Naval High Command.

The Navy has arrived at the conclusion that the maximum damage to England which can be achieved with the forces available can only be attained if the U-boats are permitted an unrestricted use of arms without warning against enemy and neutral shipping in the prohibited area indicated in the enclosed map.

The Navy does not fail to realize that—

(*a*) Germany would thereby publicly disregard the agreement of 1936 regarding the prosecution of economic warfare.

(*b*) A military operation of this kind could not be justified on the basis of the hitherto generally accepted principles of international law.

(*c*) This operation will cause great damage to the neutrals who are important to us politically and economically, that it will aggravate their attitude towards us and that it will undermine their will for neutrality, their resistance to British pressure and their readiness to trade with us.

The High Command does not assert that England can be beaten by unrestricted U-boat warfare. The cessation of traffic with the world trade center of England spells serious disruptions of their national economy for the neutrals, for which we can offer them no compensation.

Points of view based on foreign politics would favor using the military method of unrestricted U-boat warfare only if England gives us a justification, by her method of waging war, to order this form of warfare as a reprisal.

It appears necessary, in view of the great importance in the field of foreign politics of the decision to be taken, that it should be arrived at not only as a result of military consideration but taking into full account the needs of foreign politics.

Copy Wg 2022

SECRET

Memorandum on conference with Secretary of State von Weizsaecker on the 25th September, p.m. on question of naval warfare.

Present among others:

From the Foreign Office: Under Secretary of State Pol., Dir. W., Dg. Law, Pol. I W XII.

From OKM: Rear Admiral Schniewind, Captain Fricke, Commander Wagner, Lt. Com. Nebauer, Ministerial Counsellor Dr. Eckhardt, the Reich Commisar at the Supreme Prize Court Admiral Gladisch and his deputy Vice Admiral von Gagern:

From the Reich Ministry of Economics: Under Secretary of State von Jagwitz;

From OKW; war economic staff: Colonel Becker,

From the Plenipotentiary for economy: Ministerial Counsellor von Maass.

The following points from the conference must be stressed:

(1) As from yesterday, the naval war is being waged against France also in the same way as against Britain, the British Dominions, and Egypt.

(2) Regarding foodstuffs on neutral ships, a special directive has not up to now been sent to the naval forces, not even regarding the listing of conditional contraband goods. According to the documents submitted by W, which are to be put at the disposal of the Navy and of the Commisar at the Prize Court in the original English text if possible, it is considered probable by the legal department also that, regarding the most important types of food under consideration, evidence of national management can be brought in such a way that even a private receiver's address in enemy territory will justify confiscation. The actual clearing up of the question as to how far confiscations by Britain of food destined for Germany on neutral ships have taken place is to be further worked on by the Foreign Office. The order to treat foodstuffs as contraband without regard to the receiving address is at any rate to be deferred for a few more days.

(3) The OKM will submit to the Foreign Office a proposal, as a basis for a communication to the neutral powers, in which those intensifications of naval warfare will be communicated, the ordering of which has already taken place or is impending in the near

future. This includes particularly a warning not to use wireless on being stopped, not to sail in convoy, and not to black out and if necessary also clarification regarding the list of contraband goods. (The question of the treatment of wood is to be specially discussed tomorrow.)

(4) Before permitting attacks without warning against enemy merchant ships, attacks which are called for and justified because of the fact that they are being armed as a general practice and which in practice come into consideration for the area around the British Isles, material—if possible photographs also—is to be published showing the arming. Two cases of attacks by armed enemy merchant ships on German U-boats were mentioned.

(5) The OKM was further requested by Secretary of State von Weizsaecker and Under Secretary of State Woermann that, before any further intensification, the intended orders should be submitted to the Foreign Office in order to obtain the Reich Foreign Minister's opinion.

(6) Ministerialdirektor Wiehl pointed out that at present there was no reason to have special regard for individual—for example Nordic—countries, but the situation might soon change. Admiral Schniewind states that the situation in the Baltic and the North Sea might be expected in the near future to permit refraining from sinking neutral ships, and analogous to the British procedure in this matter, taking the ships into German ports and have them unloaded. Colonel Becker pointed out, in this connection, that our most important means of exerting pressure, the German supplies of coal, will only be felt effectively once the supplies of coal from Britain have been actually cut off by our Naval warfare.

A conference with Italy was intended on the subject of how and to what extent imports and exports for Germany could be conducted through Italian ports without the danger of confiscation by the enemy. It would depend on this as to how much consideration could be shown to any possible Italian transports to the enemy countries, particularly food from South America.

(7) Concerning the question of German exports, it was established that, according to the legal position, notwithstanding the treatment of the Italian coal transports and also because of the British regulations about certificates of origin, there was hardly any doubt that Britain would confiscate such transports.
Berlin, 25th September, 1939.

TRANSLATION OF DOCUMENT D-853

9 Copies, this is copy No. 8.

Berlin, 27 Sept, 1939.

IMMEDIATE
TOP SECRET

I

Today, as ordered, I discussed with Admiral SCHNIEWIND the questions of sea warfare expounded by the Naval Operational Staff in their letter of the 26th September. Admiral SCHNIEWIND had called in Captain Fricke, Captain Neubauer, Senior Naval Judge Advocate Eckhardt, and Captain [?].

The Naval Ops Staff will draft a memorandum on the discussion.

Agreement was reached on the following points:

(1) Enemy and neutral merchant vessels which, on being stopped, transmit; those signalling and those blacked out, may be sunk without warning.

All neutral states will receive notification to this effect. The text will be prepared at the Foreign Office and, after agreement with the Naval Ops Staff (Eckhardt), will be dispatched by telegraph to all our missions, not later than today.

This notification should not forecast torpedoing, but should only be a warning that ships will expose themselves to danger by behaving in these ways.

I did not discuss the question of limiting the use of these measures to certain zones, as is provided for in one case in inclosure (1) to the letter from the Naval Ops Staff. It appears desirable to include such a limitation so that the Americans cannot say we were doing such things off their shores. This could be considered when the notification is formulated.

(2) As from a certain date, still to be determined, British and French merchant vessels may be torpedoed without warning, as it can be taken for granted that they will be armed. No notice will be given. First one should start with an intensive propaganda campaign about the arming of enemy merchant ships, lasting approximately four days. Before publishing final orders, the Naval Ops Staff will once more come to an agreement with the Foreign Office.

Both the Naval Ops Staff and the Foreign Office will immediately examine the question whether, in view of the present legal situation in the USA, American citizens travelling on enemy vessels may do so only at their own risk or whether it is forbidden altogether. Should such laws not exist, I have put forward the wish of the Foreign Office to hold up these measures until the conclusion of American legislation; however I made no condition of this wish.

(3) It has been agreed not to torpedo neutral merchant ves-

sels in the Baltic Ocean or in the eastern part of the North Sea whenever possible.

Admiral Schniewind said that, in view of the employment of U-boats, no absolutely binding assurance could be given in this respect.

(4) It has been agreed that food stuffs with the exception of fruits and vegetables are to be treated in practice as absolute contraband goods. This is done in the expectation that, before the decisions of the Prize Court are reached, more obvious details about the corresponding British and French attitude will have come to hand.

(5) The question of Italian, Japanese, Spanish, and Russian merchant vessels was not raised. The notification in par. (1) is in any case to be sent also to the governments of these countries. I shall make certain, furthermore that, as has already been foreshadowed, further discussion shall take place with regard to this question.

II

The Naval Operational Staff indicated anew that the Fuehrer will probably order ruthless U-Boat warfare in the restricted area in the very near future. The previous participation of the Foreign Office remains guaranteed. In this connection I made special reference to the United States of America and demanded that this measure should not be put into effect until corresponding legislation by the United States had been assured.

The following points were mentioned during the discussion of this question. In the course of Monday's discussion, Ministerialdirektor Wiehl reserved the right to make further exceptions for the Prosecution of economic warfare at sea in case of negotiated agreements, especially with the Northern Countries. Captain Neubauer pointed out—Admiral Schniewind agreeing—that these agreements could not be allowed to exercise a limiting effect on ruthless U-Boat warfare should the latter be introduced, so that it might perhaps be better not to make any agreements which would subsequently have to be broken.

III

With reference to the intended belt of 30-500 sea miles surrounding the American States, it was agreed to await first more detailed news of the American intention.

[signed] Woermann

Secretary of State
Office of Reich Foreign Secretary.
Dg.Pol.
Dir.W.
Director of Law
Pol. I.M.

U-Boat Construction 1920–1935

Details given below regarding German participation in U-Boat building between 1920–1935 have been extracted from a series of Essays on "The Operational and Tactical considerations of the German Navy and the consequent measures taken for its expansion between 1919–1939" contained among the files of Vice-admirals ASSMANN and GLADISCH, who were in the Historical Section of the German Admiralty.

[Page 38]

* * * But although, as was stated, in nearly all spheres of armament where the Navy was concerned, the Treaty of Versailles was violated in the letter and all the more in the spirit, or at least its violation was prepared, a long time before the 16th March 1935, this probably took place in no other sphere on the one hand so early and on the other hand under such difficult circumstances as in the construction of a new submarine arm. The Treaty of Versailles had only been in force a few months (since the 10th January 1920), when it was already violated in this point.

Already in the year 1920, the Germania shipyards and the Vulkan shipyards with the permission of the Naval Command sold plans of the German U-cruiser (U 142) and the mine U-cruiser (U 117) to Japan, which used these plans as a basis for the construction of their own U-cruisers under the supervision of German U-boat builders, partly under the personal direction of the former Chief builder of the Germania shipyard. In 1925-28 a former naval officer took part, with the permission of the Naval command in testing these submarines which were the first to be built after the war according to German plans (abroad) and was thus able to preserve and improve the valuable experience he had gained as a member of the former commission for taking over U-boats.

In 1922 three German shipbuilding yards founded a German U-boat Construction Bureau in Holland under a Dutch covering name with about 30 engineers and builders. In 1925 a Dutch shipbuilding yard built two 500-ton U-boats for Turkey on the plans of this bureau which enjoyed the financial and personal support of the Naval Command. In the solution of this question too Captain Lohmann was concerned decisively. There followed the construction of three 500-ton and one 100-ton submarines for Finland which had a German naval adviser, according to plans of the "Dutch" bureau in Finnish shipyards. The trial cruises of these ships under German direction could be utilized for the first time for the practical training of a small number of active German naval and engineer officers in the submarine services. Three submarines for Sweden followed * * * finally the especially valuable and important relations to Spain. In Spain in 1927/28 the Navy made possible with the King and Primo de Rivera the construction of the first prototype ship of a submarine plan, corresponding entirely to the demands of the German Navy, of about 750 tons in the shipyard of Eche Varietta in Cadiz. Already in the autumn of 1927 the naval construction department was commissioned to carry out the construction in Spain by the Chief of the Naval Command, Admiral Zenker, who accepted the responsibility despite all the difficulties in the field of home politics. The working out of the project and the drawing up of the construction plans took place in the Dutch Bureau. After completion in 1931, the ship carried out trial runs and diving exercises from Cadiz and Cartagena, under German direction, and with German personnel consisting of officers, engineers, naval construction students, and foremen. The intended purchase by the Spanish Navy was thwarted by the political revolution in Spain. Only in 1934 did it become possible to move the ship from Spain to Turkey whose Navy purchased it. This boat, which is now the Turkish submarine "Guer" became the prototype for the "U 25" and "U 26".

It had, in the meantime, been possible in 1930 to lay the basis in Finland also for the construction of a submarine of 250 tons which was to correspond to the military demands of the German Navy. The fundamental intention in this connection was to create a type of submarine which would permit the inconspicuous preparation of the greatest possible number of components that could be assembled at shortest imaginable notice * * * The Finnish U-boat was the first U-boat plan to be worked out in Germany and to be executed; only for the working out of details was the Dutch bureau still called upon.

The Finnish 250 ton vessel became the prototype for "U.1" to "U.24"; to be sure "U.7" to "U.24" were lengthened and improved in order to double the radius of action.

The building and the thorough trial of the prototype vessel made it possible to obtain the parts for "U.1" to "U.24" in 1933/35 long before the order for assembling the vessels, to make preparations for this assembly to the extent possible while maintaining secrecy.

Engines, gear, and accessories for 12 vessels were stored in Kiel and it was made possible to build 6 U-boats simultaneously.

The individual parts for both the 712 ton vessels "U 25" and "U 26" were secretly built and stored before the order to assemble was issued. As a result the assembly of those largish vessels took only 9 to 10 months. * * *

[Page 156]

At the beginning of 1935 there were probably 6 250 ton boats ready for assembly and 6 275 ton and 2 750 ton boats on which preparatory work was being done; about four months were needed for assembling the small ships and about 10 for the big ones, dating from the 1.2.35, but everything else was still quite uncertain * * *

It is probably just in the sphere of submarine construction that Germany adhered the least to the restrictions of the German-British Treaty. Considering the quantity of U-boats which had already been ordered, about 55 U-boats could have been provided for up to 1938. In reality 118 were ready or ordered. The preparations for the new U-boat arm were made so early, so thoroughly, and so secretly that already 11 days after the conclusion of the German-British Naval Treaty, which permitted the *construction* of U-boats, the first German U-boat could be commissioned on the 29th June 1935.

PARTIAL TRANSLATION OF DOCUMENT D–855

Information relating to German preparations for U-Boat construction and infringement of Clauses of the Versailles Treaty, prior to 1935

Lecture by THIELE

The following information is taken from a lecture on "The Development of the Naval Budget 1930–1939" by Secretary (Flottenintendant) THIELE, OKM (E) (Budget Department of the German Admiralty) at the German Naval Training Center for Administrative Officers in Prague, 12th July, 1944.

[Page 22]

Ship Construction Plan

The era of the very large development of the Navy had therefore come at the moment of the seizure of power. Already in the first year after this, *in March 1935*, the construction of battle cruisers with a displacement of 27,000 tons was proceeded to. Such a vessel was ordered to be constructed. Thus one of the classes of the Treaty of Versailles which were the most important for us was at once violated in the naval sphere in a manner which in a short time could no longer be camouflaged. Similarly the second important clause, forbidding the construction of U-boats, was violated. Orders were placed during that year for 2 large and 6 small U-boats, also for the light cruiser "Nurnberg". 8 minesweepers, and 7 E-boats. The U-boats were completed in separate parts, as their construction was under no circumstances to be apparent to the outside, these parts were stored in sheds for the time being and only needed to be assembled after the declaration of freedom to re-arm. The third one also of those clauses of the Treaty of Versailles that were the most disadvantageous for us, the limitation of personnel to 15,000 men, was immediately ignored after the seizure of power. The total personnel of the Navy was already 25,000 in 1934, and in 1935, the year of the London Naval Agreement, 34,000 men.

The year 1934 saw the placing of the order for the second battle cruiser, also of 2 heavy cruisers, 16 destroyers, 4 minesweepers, 2 E-boats, 10 medium and 18 small U-boats.

TRANSLATION OF DOCUMENT D-856

To enclosed letter of the OKM of 2 Oct 39
1 / Naval Ops. Staff 9592/39 secret

I have today informed Admiral Schniewind of the following:

(1) We were further of the opinion that the order to attack all merchant ships which were recognized without possibility of doubt as enemy ones could not be given at the moment, particularly in view of the efforts to achieve peace which are under way.

(2) We had no objections to the order about which we were informed, which was to raise immediately all restrictions on using weapons against merchant ships recognized without possibility of doubt as armed and against merchant ships whose armament is known as a result of indisputable data. But we thought that the formulation submitted might nevertheless be considered by the U-boat commanders to be a call to take action against all enemy merchant ships, and requested that this viewpoint should be taken into consideration by a different formulation. Besides this, it would probably be a good thing to clarify the fact that the order already given not to attack passenger ships remained unaffected by the order submitted. Admiral Schniewind met these explanations in an understanding manner and promised suitable examination.

Herewith:

(1) To the Secretary of State.

(2) Dg. Pol.
(3) Dg. Law.
(4) Herr v.d. Heyden—Rynsch
Berlin, 3rd October 1939

[sgd] Woermann.

TRANSLATION OF DOCUMENT D–857

Serial 51. M.M.S.1. SEEKRIEG.
St. S. Nr. 807

Berlin, 14th Oct 1939

The Reichsaussenminister

According to my information the decision on unrestricted U-boat warfare against England is imminent. This is at least as much a political decision as it is a technicality of war.

A short while ago I submitted my personal view that unrestricted U-boat warfare could bring new enemies upon us at a time when we still lack the necessary U-boats to defeat England. On the other hand the Navy's attitude of insisting on the opening of unrestricted U-boat warfare is backed by every convincing reason.

I therefore think it necessary to ask the High Command of the Armed Forces for a military appreciation [translator's note: free for "fachmaennische Unterlage"] before making the final decision. In my opinion the following questions ought to be asked:

(*a*) When would the navy like to start unrestricted U-boat warfare?

(*b*) Which prohibited zones does it suggest? (Notification of the neutrals is necessary.)

(*c*) What are the figures of sinking per month up to now and what can one expect them to be in future?

(*d*) Does the navy wish to make exceptions in the sinkings
as regards passenger ships
as regards certain neutrals (i. e. Russian trade to England, Danish foodships, etc.)
and how does the Navy envisage sparing those ships?

I beg to be given authority to make inquiries of this nature with the High Command of the Armed Forces at once.

[signed] WEIZSAECKER

FW/HAB

TRANSLATION OF DOCUMENT D-863

Notes on the Conversations of the C-in-C of the Navy and the C/SKL in the Fuehrer's HQ 28-29/8/43 Signed Meisel

Participants: Grand Admiral Doenitz
Vice Admiral Meisel, Chief of Staff of the SKL
Capt. Rehm, etc.

TIME TABLE

28 August

Hours
0845 Take off from Staaken
1015 Arrival Rastenburg.
1030 Arrival Fuehrer's H.Q.
1130 Conversation C-in-C Navy, C-in-C Luftwaffe.
1300 Situation conference (Lagesbesprechung) with the Fuehrer, closing with a further conversation between the C-in-C Navy and the C-in-C Luftwaffe.
1600 Departure C-in-C Navy.
1700 Conversation C/SKL and Ambassador Ritter.
1900 Conversation C/SKL General Jodl.
2200 Evening situation conference (Abendlage) with the Fuehrer.
2400 Conversation C/SKL Reichsfuehrer SS Himmler.

29 August

1300 Midday situation conference with the Fuehrer.
1530 Conversation with the Chief of the General Staff of the Air Force.
1800 Take off C/SKL.
2000 Arrival Berlin—Staaken.

COPY OF DOCUMENT D-864

STATEMENT.

I, GERHARD FLESCH, have been sworn under oath and say as follows:

I, Gerhard Flesch, was born on the 8 October 1909 in Posen, and before the war I lived in Berlin-Schoeneberg. In April 1940 I came to Norway, and from this time until October 1941 I stayed in Bergen where I was the Kommandeur der Sicherheitspolizei and the SD, and from October 1941 until May 1945 I stayed in Trondheim as the Kommandeur der Sicherheitspolizei and the SD. My address before the war was Berlin-Schoeneberg, but I was at the same time in charge of the Staatspolizeistelle in Erfurt.

I received the order to transfer Evans from Trondheim Missionshotel to the BdS, Olso, this order I received by telegram or telephone from the Befehlshaber der Sicherheitspolizei and the SD, Oslo. I can not tell who signed the telegram or the telephone call from Oslo. I can not say for certain to whom I passed the order, but I think it was to Hauptsturmfuehrer Hollack. I know, that the Commander in Chief Navy of the Norwegian Northern Coast, had interrogated Evans himself. I have been told by one of my comrades that General-oberst Falkenhorst got in touch with the Befehlshaber der Sicherheitspolizei and the SD in Oslo, in order, personally to get a close impression of the material at hand.

Concerning the clothes of Evans:

(*a*) It is not known to me that Evans wore a uniform. As far as I remember, he wore a blue mechanic suit, and was therefore not properly attired, the clothes not being warm enough for the season.

(*b*) I was asked by one of my colleagues, it may have been Hstf. Hollack or Ostuf. Nielson, I do not know for certain, if clothes could be obtained from the requisition stores and given to Evans. I had eventually to decide on the matter, as the Abteilungsleiter had no authority whatsoever as for the disposal of the articles requisitioned. As far as I remember I gave permission to get the articles in question from the requisition stores.

I have given this statement quite voluntarily, I have read it through, and swear that it is the truth.

[signed] FLESCH.

SWORN by the above named Gerhard FLESCH before me at AKERSHUS PRISON, this 14th day of November 1945.

[signed] JOHN HUMPHRIES,
Major.

Witnessed and interpreted:
[signed] ARTHUR LINCKERT.

COPY OF DOCUMENT D-865

Extracts from the testimony of KARL DOENITZ, taken at Nurnberg, Germany on 6 October 1945 1415 – 1500, by Lt. Col. Thomas S. Hinkel, IGD, OUSCC. Also present: 1st Lt. Joachim Stenzel, Interpreter and Pvt. Clair A. Van Vleck, Court Reporter.

Q. That may be true, I don't question that, but what I do question is the use of the language at the end of the first sentence when you say, "the most primitive demands for the conduct of warfare, by annihilating ships and crews, are contradicted by efforts to rescue the members of the crews".

A. We have, in all the years leading up to this particular event, acted exactly in the opposite sense than the one laid down in this statement. That is what matters. We have not even one single incident in this regard with the British Admiralty or government. This particular incident of the LACONIA distressed us so very, very deeply because it showed that in the very rare cases, where we could possibly do rescue work, then we were even being murdered from the air.

Q. That may be, but I still say that the language in this extract is contradictory to the reason, which you state, which is, as I understand it, that the safety of the submarine required that no efforts be made, but still you provide here that the orders concerning the bringing in of the captains and chief engineers of these vessels still stands.

A. That is an addition that is meant rather in a theoretical sense, because actually in no case, in no instance was it carried out, for the LACONIA incident, which happened a very few days before the entry in the diary, shows how we acted. We were in a situation wherein an infinitely greater number of cases, we could do nothing, and in a very, very slight number of cases we could do something, and in those cases then we would subject ourselves to the bombings from the air.

Q. Those are the situations to which this order was applicable; is that correct?

A. Yes. I am not quite sure if it went to all the captains. It only went to these submarines which were near Freetown. The other submarines were standing between the line of England and America for the convoys. They cannot get out at all; or they were standing near convoys. They cannot get out at all; or they were standing near America, Cape Hatteras, before New York, before Trinidad. They too, cannot get out. They cannot do anything. That is why I thought yesterday, the last time; I am not quite sure now if I gave it to them, you see, because it didn't change the state at all. This May order, this second telegram, would be against German Law if I had given it in 1939, '40, or '41, or '42 in the beginning, because there were cases to help, you see, but in this moment, in 1942, that was just on the border for the submarines to live at all, you see. Then came the aerial war by your airplanes and so on. I was in the water, and I was killed, you know, by your airplanes, and the others. I lost in one month 42 submarines only by the airplanes, when they were obliged to get up for loading or for their batteries. That was the reason. I was obliged to give such an order to prevent that the submarines were killed by the old orders of rescuing. I am not quite sure if this was given only to these submarines, or to all captains who were at sea, you see. The real instruction what to do about the boats, the steamers, and so on were stated in the periodical orders coming from the Commander of submarine warfare, "Staendige Kriegs Befehle des BDU". And I wish yet you would have a look in this. In this one written the general principles of how to treat the boats and so on, and by these orders the submarine commanders are instructed. That was a telegram for the boys at sea. I was now obliged to give this order to prevent the killing of the submarines by planes that came then in these rare cases. This report was ordered only by me. I remember that Captain Goth and Captain Hessler were against this telegram. They told me that expressly, because they said that that can be misunderstood, but I said I must tell that now to these boats to prevent the losses in this 1 percent. I must give them a reason so they don't feel obliged to do that.

Q. In other words, this is not the message itself?

A. That is not the message at all. I wish I could look at my War Diary. We gave two messages. The first message was that the submarines must remain in a condition where they can submerge, to surrender as many rescued personnel as possible to boats and rafts, to maintain the ability to submerge; to stay there; that I am sending a French cruiser, which will come to assistance. Then to pass the rescued personnel on to the French cruiser and indicate to the French cruiser where the boats and rafts are, and right in this particular situation, just to recall this once more, the American bombers moved up and bombed the submarines. I was surprised that no American or British ships left Freetown in order to bring assistance. I have sent this first telegram, in which I stated that the submergibility of the submarine must be maintained. Then I sent the second telegram, in order to avoid that I should have future losses. The second telegram happened on my instigation. I am completely and personally responsible for it because Captains Goth and Hessler both expressly stated that they considered the telegram as ambiguous or liable to be misinterpreted.

Q. The only question in your mind now is not whether the telegram was sent, which you recall having done, but whether or not the message was addressed to all the submarine commanders wherever they were, or only to those submarine commanders in this particular area where the LACONIA had been sunk; is that correct?

A. Yes. I read the telegram yesterday.

Q. What you read yesterday was this (indicating document).

A. No, sir.

Q. This extract?

A. No. It was the real telegram, with the address and with the undersigned, and signature.

Q. If you compare the wording of the extract, which you read yesterday, with the one that I have shown you this morning, you will see that they are exactly the same. There is no substantial difference. (Passing documents to witness.)

A. No; that is not right. Yesterday I read the paper. I think that the telegram was in the hands of the American naval officer. That was the right telegram.

Q. I don't mean to contradict you, Admiral, but the document which I showed you is the one on your right here. It is not a telegram or a signal; it is an extract from the BDU War Diary. I had never seen the signal itself, as it was sent out.

A. I am very interested in the signal, you see, for by seeing the signal I can recall to my memory if it was the second, you see.

Q. If that is available, I will see that you are shown it. I just don't know whether it is or not.

A. You see, I think nobody can understand it who doesn't know the conditions in sea warfare in 1942. I know no case where any English submarine could rescue any Italian or German men of a convoy in the Mediterranean. There is no case at all, and the same is true in Norway. The submarines can't get up and do anything when there are destroyers and when there are planes. They are killed by the other side. That is quite natural, you see, but that is the reason for the convoys, and this condition we had in the end of '44. There was only 1 percent of the possible cases where there could be help, but you already had so many planes that this 1 percent of cases is like this accident with the submarines. That is why I was obliged to tell them this, and I am quite sure I must tell them that very energetically. When you educate them for years and years in other things, and they come for hundreds of miles, breaking off their military operation to help, by themselves, then I must say it clearly to them that that was the end of the possibility and I was right. When there was no case at all again where some saving was possible. Then soon there came the months where we were killed in great numbers. So the only actual stain on the record of the submarine warfare is the case of Eck, of which we talked the other day.

Q. Had you heard of this before I mentioned it to you?

A. No; I hadn't heard of it. You asked me very impressively, and I have racked my brains trying to remember whether anybody ever had told me of this incident, but I cannot possibly remember it for, of him, naturally we never heard, because he never came home.

Q. He was captured, as I told you.

A. Yes. As I said, that is the only really painful and exasperating case, because until I entered this room I was convinced that I had led a decent and clean sort of submarine warfare through the entire war.

Q. There is one question I would like to ask you: why was it necessary to use the language that I read to you before, that the most primitive demands for the conduct of warfare, by annihilating ships and crews, are contradicted by efforts to rescue members of the crews? The last clause of the first sentence.

A. These words do not correspond to the telegram. They do not in any way correspond to our actions in years of '39, '40, '41, and '42, as I have plainly shown you by the LACONIA incident. I would like to emphasize once more that the Captains Goth and Hessler both were violently opposed to the sending of the telegram.

Q. In the absence of the signals themselves, which would contain the exact words sent out, why, there isn't any way we can settle definitely at this time just exactly what you did say. As I told you, this is an extract from a diary, and it may or may not be an exact transcription of the signal that was sent out. Is there any further statement that you wish to make at this time?

A. Yes. Well, it is like this, for a layman, naturally, a telegram of this sort would be quite surprising, because he has entirely different conceptions of the situation. He doesn't know of the convoy system as it existed in the year 1942. I am not in any way aware that I, in any way ever overstepped the bounds of humanity in the submarine warfare. I can tell you, for instance, in May of 1945, when I was asked in Flensburg whether or not we should surrender our War Diary, then I said "Absolutely; we have nothing to conceal".

Q. Does that complete your statement?

A. Yes.

Colonel Hinkel: That will be all.

COPY OF DOCUMENT D–866

Extracts from the Testimony of Karl Doenitz, taken at Nurnberg, Germany, on 22 October 1945, 1030 – 1130 by Lt. Col. Thomas S. Hinkel, IGD, OUSCC, Cmdr. John P. Bracken, USNR, and Lt. Mechael Reade, Rn. Also present: Mr. Bernard Reymon, Interpreter, and John Wm. Gunsser, Court Reporter.

Q. Do you consider this order to be contrary to the prize rules of the German Navy issued in the beginning of the war?

A. I had never given such an order in the years 1939, 1940, 1941, or 1942, never. I had never given this order if I hadn't had the Laconia incident, see. Then I saw the time coming when I had to give the order, "you are not allowed to go to the surface at daytime at all". But I had the feeling after the incident, well that the boats had done too much; they were not divable. And because the boats had lost their task places, for myself I had a feeling to show them the contrary side of it, and I was quite clear about this being no practical situation, for these few submarines who were concerned. Goad and Hessler told me "Don't make this wireless", you see: "one day there can be a wrong appearance about it; there can be a misinterpretation of that".

And then I told him that I must, I think, in the reality, take measures. I wished to prevent my submarines being bombed when they saved, and I must give them good reason for it. That was the whole thing of it, you see. This wireless had no significance at all. That's the reason why none of us remembered it. Two months later there were no submarines at all who came in the situation to get up. I am sure that no one, English or American men was not saved by that. I had to give it to prevent my submarines from being bombed at sea. That the Laconia showed me very clearly. That was the whole reason. And now you say that OKM said by this telegram he had attacked the boats. I can't understand it. There was never a discussion in the German submarine service about the thing which OKM has done.

In 1939, 1940, 1941, and 1942, we were able to surface and we never did it, it was impossible. And then I gave such a telegram, an order not to save the people; you can't take them in the boats.

Q. Why did Goth and Hessler say this telegram might be subject to misinterpretation?

A. That's a very right question from your side. The misinterpretation is the political side of the thing, you see. The Nationals. They were quite sure nobody thought of a thing like that.

But these points why I am sitting here now and have to speak with you—I couldn't think in 1942 that I would have to talk it over with you, you see. I only wish to tell the submarines the other side, you see. They had done too much. It is impossible to run away fifty miles without order, and it is impossible to pack the people, two hundred people, on a submarine when the planes can come. It is impossible. You see that your bombs have not killed the submarines is good luck, in other words, which is one, two, three, four, five hundred people of yours in this incident. This was the whole situation. Thus I was under a great pressure. You see, I received an order by Adolf Hitler, "You are not allowed to risk the boats." That was military; it was quite right. Nobody could be made any reproach when I had broken off, after the experience that the boats are bombed. Nobody could do it. I didn't do it because I couldn't break off. What should I do with all these poor people? And that was the reason why I made this wireless.

TRANSLATION OF DOCUMENT D-868

Berlin, 31st May, 1934
[Pencil note]
Habicht is coming today....L 6/6
The Reich Chancellor has been informed 6/6.
From the Reich Chancellor on 6th June.

NOTE

The *Austrian lawyer Baron Waechter* visited me today in order to bring me greetings from the members of our Embassy as he remarked at the beginning, and to introduce himself to me in person as the leader of the department dealing with Austrian affairs. Herr v. Waechter of fresh, youthful appearance, gives the impression of an energetic personality steadily pursuing his aims. His statements were obviously made in full consciousness of serious responsibility. His estimation of the affairs and personalities that came under review was clear and definite.

Herr v. Waechter drew up for me too *a picture* of the situation *in Austria* which was in some of its colors, even darker and more serious than it had appeared to us here up till now. *The extremist tendencies of the National Socialists* in Austria were constantly *on the increase. Terrorist acts were multiplying.* Irrespective of who actually undertook the demolitions and other terrorist acts in individual cases, each such act provoked a new wave of extremism and also of desperate acts. As Herr v. Waechter repeatedly and sadly stressed, *uniformity of leadership was lacking.* The *SA* did what it wanted and what it, for its part, considered necessary. The *political leadership* at the same time introduced measures which sometimes meant the exact opposite. Thus, the *great terrorist action* as the result of which the railway lines leading to Vienna were blown up was by no means *committed* by Marxists, but by the Austrian *SA,* and indeed against the wishes of the political leadership which, as he believed, did not participate in any way either in the act or in its preparations. Such is the picture as a whole. In detail, in individual provinces and districts, the confusion was, if possible, even greater. One main *seat of unrest* and therefore a particular source of danger for sudden outbursts of mob passions was and still remained *Carinthia,* the country where the mismanagement and want under the Dollfuss regime were most felt and where National Socialism was, therefore, most successful. Herr v. Waechter thought that here *improvements* must be introduced *most speedily,* and namely by means of *centralization* of *all* forces active in the interests of *National Socialism* both in *Austria itself and outside Austria.* Personal questions should play no part here. The decisive word in this connection could of course be given only by the Fuehrer himself. He, Waechter, was in full agreement with Herr Habicht on all these matters. As far as he knew, Herr Habicht had already succeeded in having a brief conversation with the Reich Chancellor today. Baron Waechter himself had, on the contrary, so far been unable during his present visit to put forward his views and suggestions, which were at the same time those of the authoritative party leaders in Austria. For a while peace and order reigned within the party in Austria, when after the February events the Reich Chancellor prohibited any propaganda activities and issued an order for a truce to be observed along the whole line. This was naturally obeyed by all departments. But everyone supposed that a solution was being prepared and that, by his basic orders, the Fuehrer desired to create the necessary peaceful and favorable atmosphere for forthcoming negotiations. But when nothing followed in the meantime, and on the other hand the counter measures of the Austrian administration grew more and more brutal and incisive from day to day, the radical elements moved afresh and came forward with the statement that the Chancellor had issued his order only for tactical reasons, but was inwardly in agreement with every manly act of opposition and had in view, as the true political aim, merely the weakening of Dollfuss' hateful system, though in a way which was as unobtrusive as possible. They were now working on this principle. In the course of the discussions, this idea, which goes on secretly smouldering, was met with again and again. A change must soon be made and a uniform leadership * * * [illegible] otherwise Herr v. Waechter concluded his impressive description, any day a disaster might occur which would have the worst consequences from the point of view of foreign policy, not for Austria alone, but above all for Germany.

During the conversation, the visitor was called to the telephone on urgent business. Herr v. *Waechter* received *a telephone warning* from Munich not to return to Vienna, because he would be faced with arrest on the frontier already. An impressive illustration of what he has just told me about the intensification of Austrian police measures.

To my question as to what he intended to do now, Herr v. Waechter shrugged his shoulders and confined himself to remarking that he would first have to discuss it with his party friends.

I told Herr v. Waechter that in view of the importance of his report and the dangers which arose from it, I would make a suitable report to the Reich Minister and to the State Secretary. Herr v. Waechter asked me to do so.

[sgd] Koepke

TRANSLATION OF DOCUMENT D-872

Extracts from the War Diary of the German Naval Attache in Tokyo (PG/32145)

3.12.41.

1800. The Naval Attache extended an invitation to several officers of the Japanese Naval Ministry. It transpires from the conversation that the negotiations in Washington must be deemed to have broken down completely and that, quite obviously, speedy military action to the South by the Japanese armed forces is to be counted on.

6.12.41.

Conversation with Commander Shiba

The outcome of the conversation is reported to Berlin in the following signal:

D-872

Naval Attache 1251 Top Secret.

1. Last week, America proposed a nonaggression pact between the United States, Britain, Russia, and Japan. In view of the Tripartite Pact and the high compensatory demands, Japan rejected this offer. Negotiations have therefore completely broken down.

2. The Japanese Armed Forces foresaw this development and consented to Kurusu's being sent only to impress the people with the fact that no stone had been left unturned.

3. The Japanese Armed Forces have already decided (three weeks ago) that war is inevitable, even if the United States, at the last minute, should make still greater concessions. Corresponding measures are under way.

4. Oshima is authorized to conduct negotiations in Berlin in accordance with Naval Attache's 214/15 paragraph 5.

5. Addition. Naval Attache: No exact details are available as to the zero hour for the commencement of the Southern Offensive. All the evidence, however, indicates that it may be expected to start within three weeks and simultaneously attacks on Siam, the Philippines, and Borneo will be launched.

6. The ambassador has no knowledge of the transmission of the telegram, but is acquainted with its contents.

7. The contents of paragraph six will be abbreviated in future to the codeword "Switch-off" ["Ausschaltung"]. In which case, please do not pass to Foreign Office.

Shiba said that the outbreak of hostilities was definitely to be expected this year. He could not, however, give me an exact zero hour in view of the necessity for surprise. A state of war with Britain and America would certainly be established by Christmas. From this I got the impression: in three weeks.

Extract from War Diary of U 71.

21st June, 1941.

Date and Time	Details of place, wind, weather, sea, light visibility, moon, etc.	Events
12.15	Square AL 1973, SW 4/5 Showery, rising sea, medium swell, visibility good.	*Etmal:* 234 sm Lighted lifeboat of the Norwegian motor tanker John P. Pedersen drifting under sail. Three survivors were lying exhausted under a tarpaulin and only appeared when the U-boat was moving away again. They stated that their ship had been torpedoed 28 days before. I turned down their request to be taken aboard, provisioned the boat with food and water, and gave them the course and distance to the Icelandic coast. Boat and crew were in a state that, in view of the prevailing weather, offered hardly any prospects of rescue.

[signed] Flaeksenberg

Prosecution comparison of documents 1014–PS and Raeder 27.

Document 1014–PS	*Raeder Document Book 2, No. 27*
A. It may also turn out differently regarding England and France.	No.
B. One cannot predict it with certainty.	No.
C. I figured on sanctions not on a blockade, and also on severance of relations.	*P. 156, line 2:* They would perhaps recall their ambassadors, perhaps establish sanctions. *P. 152, line 14:* What are now the possibilities for an intervention of the Western Powers: (1) Blockade which, however, has not the significance any more as before.
D. Most iron determination on our side.	*P. 156, line 4:* This can be met only by iron determination.
E. Recoil before nothing.	No.
F. Everybody must make a point of it that we were determined from the beginning to fight the Western Powers too.	*P. 156, line 4:* We have to show that we had always reckoned with England and France.
G. Struggle for life or death.	No.
H. Germany has won every war as long as she was united.	*P. 156, line 5:* And that Germany wins if only she is united.
I. Iron unflinching attitude, above all of superiors, greatest confidence, faith in victory, overcoming of the past by getting used to heaviest strain. A long period of peace would not do us any good.	*P. 156, line 6:* The attitude of every superior officer is important; *line 9:* But a nation is not being educated for efficiency by a long peace but by getting accustomed to toughness and trouble.
J. Therefore it is necessary to be ready for anything; manly bearing.	No.

K. It is not machines that fight each other but men. We have the better quality of men.	*P. 156, line 13:* It is not machines which fight battles but men. And we have the best men.
L. Spiritual factors are decisive.	*P. 156, line 17:* * * * the spiritual prerequisites * * * which constitute the substance. * * *
M. The opposite camp has weaker people.	No.
N. In 1918 the nation collapsed because the spiritual prerequisites were not sufficient.	*P. 156, line 15:* * * * in 1918 * * * the spiritual prerequisites for carrying on to the end were lacking.
O. Frederick the Great secured final success only through his force of character.	*P. 156, line 18:* Frederick the Great for years withstood only through the strength of his heart.
P. Destruction of Poland in the foreground. The aim is elimination of living forces, nor attaining a certain line. Even if war should break out in the west, the destruction of Poland remains the primary objective.	*P. 156, line 23:* The goal is the elimination and crushing of the military power of Poland even though war in the west may result. *P. 157, line 16:* Necessary is * * * crushing of the enemy's strength wherever it shows itself to the end.
Q. Quick decision because of the season.	*P. 156, line 24:* Greatest speed at the success in the East offers the best prospects for a localization of the conflict. *P. 157, line 16:* Necessary is speed of the operations, adaptation to every new situation.
R. I shall give a propagandistic cause for starting the war—never mind whether it be plausible or not. The victor will not be asked later on whether he told the truth or not. In starting and waging a war it is not right that matters but victory.	*P. 157, line 2:* The conflict will be set in motion by appropriate propaganda. The credibility is unimportant hereby, the right lies in the victory.

Page Line	Page Line
S. Have no pity.	*P. 157, line 4:* We have to steel our heart and make it hard.
T. Brutal attitude.	*P. 157, line 10:* Greatest harshness can mean greatest mildness during the accomplishment of such a task.
U. 80,000,000 people must get what is their right. Their existence has to be secured.	*P. 157, line 4:* Whoever has pondered over this world order knows that its meaning lies in the success of the best by means of force. And the German people belong to the best races of the earth. Providence has made us the leaders of this people and thereby given us the task of securing the necessary living space for the German people who are compressed 140 persons to a square kilometre.
V. The strongest has the right.	No.
W. Quick decision necessary.	See under Q.
X. Unshakable faith in the German soldier.	*P. 157, line 12:* We can and must believe in the worth of the German soldier.
Y. Crises are only to be ascribed to the nerves of the leaders giving way.	*P. 157, line 12:* He mostly kept his nerves in crises while the leadership lost them.
Z. First aim: advance to the Vistula and Harev. Our technical superiority will break the nerves of the Poles.	No.
AA. Every newly created Polish force is to be broken again at once. Constant war of attrition.	*P. 157, line 16:* Necessary is * * * crushing of the enemy's strength wherever it shows itself, to the end.

BB. New German frontier according to healthy principles, possibly a protectorate as a buffer.	*P. 157, line 18:* This is the military goal as a prerequisite of the narrower political goals of a subsequent drawing of the boundary lines.
CC. Military operations are not to be influenced by these reflections.	No.
DD. Complete destruction of Poland is the military aim.	See under P.
EE. Speed is the main thing.	See under Q.
FF. Pursuit until complete elimination.	No.
GG. Conviction that the German Wehrmacht is up to the requirements.	See under K and X.
HH. The start will be ordered later, probably on Saturday morning.	No.

COPY OF DOCUMENT D–877

Prosecution comparison of documents 798–PS and Raeder 27

Document 798–PS	*Raeder Document Book II, No. 27*
Page Line	Page Line
A. 1 1 I have called you together to give a picture of the political situation, in order that you may have insight into the individual elements on which I have based my decision to act and in order to strengthen your confidence.	1 1 Purpose of speech to give the Fuehrer's opinion on the political situation, to present his ideas so as to strengthen confidence in his decision because his decision to act was irrevocable.

D–877

	Page	Line		Page	Line	
B.	1	5	After this we will discuss military details.			No.
C.	1	6	It was clear to me that a conflict with Poland had to come sooner or later.	1	15	Although this conflict with Poland was unwelcome and it was necessary.
D.	1	7	I had already made this decision in Spring but I thought that I would first turn against the West in a few years, and only afterwards against the East.	1	4	As late as last Spring his intention still was to postpone the solution of the Polish question, to put it on ice, so to speak, in order to settle first the conflict in the West, unavoidable in his opinion.
E.	1	9	But the sequence cannot be fixed.	1	7	However, a politician cannot commit himself as to the sequence of events. One must be elastic.
F.	1	9	One cannot close ones eyes even before a threatening situation.			No.
G.	1	10	I wanted to establish an acceptable relationship with Poland in order to fight first against the West.			No.
H.	1	12	But this plan, which was agreeable to me, could not be executed since essential points have changed.	1	8	The basis for his original intentions had changed.
I.	1	13	It became clear to me that Poland would attack us in case of a conflict with the West.	1	9	For that matter, he had never believed that the Poles would have observed the NonAgression Pact when Germany would have been tied down somewhere else.

J.	1	15	Poland wants access to the sea. The further development became obvious after the occupation of the Memel Region.	1	12	This is shown by the map.
K.	1	16	And it became clear to me that in the circumstances a conflict with Poland could arise at an inopportune moment. I enumerated as reasons for this reflection.	1	15	It was necessary and the political situation was at present more favorable than perhaps in a few years' time for the following reasons.
L.	1	19	(1) First of all two personal constitutions.	1	18	(1) Personal reasons on our side.
M.	1	20	My own personality and that of Mussolini.	1	19	(*a*) His own person as acid in the life of the German people.
				2	1	(*b*) A similar case can be made for Mussolini.
N.	1	21	Essentially depends on me, my existence, because of my political activities. Furthermore the fact that probably no one will ever again have the confidence of the German people as I do. There will probably never again be a man in the future with more authority than I have. My existence, therefore, is a factor of great value.	1	19	His own person as acid in the life of the German people. He had unified the German people; has confidence and authority over the German people such as no successor could enjoy it greater.
O.	1	25	But I can be eliminated at any time by a criminal or an idiot.	1	22	Any day he could be the victim of an enemy or an insane or could die a natural death.

	Page	Line		Page	Line	
P.	1	27	The second personal factor is the Duce. His existence is also decisive. If something happens to him Italy's loyalty to the Alliance will no longer be certain. The basic attitude of the Italian Court is against the Duce. Above all, the Court sees in the expansion of the empire a burden. The Duce is the man with the strongest nerves in Italy.	2	1	(*b*) A similar case can be made for Mussolini. Not the pact with Italy are decisive but personalities. Mussolini is decisive for adherance to the Pact. The Court was against everything it considered adventurous, would like it best to be satisfied with what they got. Mussolini was a man "without nerves". Proof was the Abyssinia conflict.
Q.	1	32	The third factor favorable for us is France. We can ask only benevolent neutrality from Spain but this depends upon Franco's personality. He guarantees a certain uniformity and steadiness of the present system in Spain. We must take into account the fact that Spain does not as yet have a Fascist Party of our internal unity.	2	8	The personality of France was also of consequence. The Fuehrer never expected more than friendly neutrality from Spain. She continued to be under the political influence of several parties. Only Franco was the guarantee of uniformity and a certain continuity in politics.
R.	1	37	On the other side a negative picture, as far as decisive personalities are concerned. There is no outstanding personality in England or in France.	146	13	(2) On the other side, the opponents picture was negative, luckily for us there are no personalities.

S.	1	39	For us it is easy to make a decision. We have nothing to lose and can only gain. Our economic situation is such because of our restrictions, that we cannot hold out more than a few years.	146	15	It is hard to make a decision which must lead to bloodshed. It is difficult but comparatively easy for us because we have only one choice. Get it over with or lose out. We might be able to stand the present condition economically and by exercising all our strength for about 10 to 15 years, not longer.
T.	1	41	Goering can confirm this.			No.
U.	1	42	We have no other choice. We must act. Our opponents risk much and gain only a little. England's stake in a war is unimaginably great. Our enemies have men who are below average. No personalities, no masters, no men of action.	146	20	Therefore we are forced to come to a decision. Such decisions are much more difficult for our adversary. He would gain nothing. His stake is much greater, enormously great. The personalities on opponents side are, however, without exception below the average of what is expected from a statesman, they are no men of action.
V.	1	46	Besides the personal factor, the political situation is favorable for us. In the Mediterranean rivalry among Italy, France, and England in the Orient tension, which leads to the alarming of the Mohammedan world. The English Empire did not emerge from the last war	147	1	There are a number of tension spheres for England. In the Mediterranean the strained relation with Italy, in Asia with Japan, in the Near East England has alarmed the Mohammedans. When the expression "Pyrrhic" victory ever applied to a nation, it was the victory of 1918 to England. On the Seven Seas

	Page	Line		Page	Line	
			strengthened. From a maritime point of view nothing was achieved. Conflict between England and Ireland; the South African Union became more independent; concessions had to be made to India.			she lost her predominance and shares it with America. Her Empire was shaken, Ireland became independent, the Union of South Africa aspires to the same, the appetite for it is growing in India.
W.	1	52	England is in great danger.			No.
X.	1	52	Unhealthy industries.	147	13	Because of the armament all countries have created their own industries. It has become difficult for England to find markets. The old order is disturbed.
Y.	1	53	A British statesman can look in the future only with concern.			No.
Z.	1	54	France's position also deteriorated, particularly in the Mediterranean.	147	17	France too is in a bad state, above all because of the decrease of her conscription classes.
AA.	1	56	Further favorable factors for us are these: Since Albania there is no equilibrium of power in the Balkans. Yugoslavia carries the germ of collapse because of her internal situation. Rumania did not grow stronger. She is liable to attack and vulnerable. She is threatened by Hungary and Bulgaria. Since Kemal's death, Turkey has been	147	19	Facts favorable for us are furthermore the occupation of Albania, which, in the hands of Italy, neutralizes Yugoslavia. But this too is weaker than the Serbia of 1914, as the Croates are causing a splitting of the country, Rumania is weaker than before, and Hungary and Bulgaria are arming and marching at her border. Turkey has lost her only great man, Ataturk, the men now in power are little

			ruled by small minds, unsteady weak men. All these fortunate circumstances will no longer prevail in two or three years.			minds or are under the influence of the sterling. Taking everything in consideration, there are a number of favorable circumstances which might not exist any more in three years from now.
BB.	2	2	No one knows how long I shall live. Therefore conflict better now.			No.
CC.	2	4	The creation of Greater Germany was a great achievement politically but militarily it was questionable since it was achieved through a bluff of the political leaders. It is necessary to test the military. If at all possible not by general settlement but by solving individual tasks.	148	4	The psychological side has also to be considered. The last three great events regarding the "Ostmark" (Austria), Sudeten Land and Czecho Slovakia are doubtless an excellent political accomplishment. It would, however, be extremely dangerous for a nation, and especially for her armed forces, to regard to the matter solely as an instrument of bluffing for political purposes without the intention of using them in earnest. From the viewpoint of a later, large and final settlement in the West which believed unavoidable, it appears advisable from a military point of view to test the armed forces in a single task. The question arises now: Is there any likelihood that this task can be carried out isolated and without bringing about other catastrophes?

	Page	Line		Page	Line	
DD.	2	8	The relation to Poland has become unbearable.	148	18	It is obvious that the political situation of Poland, such as it exists today, is unbearable in the long run.
EE.	2	8	My Polish policy hitherto was in contrast to the ideas of the people.			No.
FF.	2	9	My propositions to Poland (Danzig and Corridor) were disturbed by England's intervention. Poland changed her tone toward us. State of tension intolerable in the long run.	148	19	Therefore the proposal of the Fuehrer about the cession of Danzig and the creation of a connecting line through the corridor. This attempt for a settlement was disturbed by England, which worked herself in a frenzy and incited Poland to impertinent note and military measures. The relation between Germany and Poland must be tolerable or an unbearable tension will be created.
GG.	2	11	The initiative cannot be allowed to pass to others. This moment is more favorable than in two or three years.	149	1	In that way, however, the initiative is no longer in our hands. From this point of view also it would be better to act now rather than later.
HH.	2	12	An attempt on my life or Mussolini's could change the situation to our disadvantage. One cannot eternally stand beside one another with cocked rifle.			No.
II.	2	14	A suggested compromise would have demanded that we change our convictions and make agreeable ges-	149	5	Bad compromises must be refused and the demand for "nice gestures" that language of Versailles, which already can be

			tures. There was danger of losing prestige. Now the probability is still great that the West will not interfere. We must accept the risk with reckless resolution. A politician must accept a risk as much as a military leader. We are facing the alternative to strike or be destroyed with certainty sooner or later.			heard again. We, in particular, must watch our prestige, as it is very important for us. The likelihood of an intervention of the Western Powers in a conflict is, in the opinion of the Fuehrer, not great. The carrying out of his plans would certainly be a daring enterprise. It would be a grave mistake to assume that politicians received any directives from God. Nobody expects this from a general but one hopes for it for a politician. This however, does just as little apply to a politician as to a general, both have to find their decisions in their own heart. The alternative for us is to act or to be destroyed in the long run.
JJ.	2	21	Reference to previous risks.	149	19	He, the Fuehrer, could say that he had, up to now, been right in his judgment of the situation in crises.
				150	4	He had stubbornly upheld his opinion against everybody and he had proved to be right. There was also great risk involved in the case of the Eastmark (Austria), Sudetenland, and Czechoslovakia and he had come through the crisis.
KK.	2	22	I would have been stoned if I had not been right.			No.

	Page	Line		Page	Line	
LL.	2	22	The most dangerous step was the invasion of the neutral zone. Only a week before I got a warning through France.	149	25	He reminded of the occupation of the Rhineland.
				150	1	M. Poncet had seen him eight days before the re-occupation and had informed him that a march into the Rhineland would mean war to France.
MM.	2	24	I have always accepted a great risk in the conviction that it may succeed.			No.
NN.	2	26	Now it is also a great risk. Iron nerves, iron resolution.	150	11	There was also a great risk involved in the present situation which could be mastered only through iron determination.
OO.	2	27	The following special reasons strengthen me in my idea. England and France are obligated.	150	14	The Fuehrer does not believe in an intervention of the Western Powers for the following reasons. The two countries, England and France had, it is true, given a guarantee to Poland.***
PP.	2	28	Neither is in a position for it.			No.
QQ.	2	28	There is no actual rearmament in England. * * *			No.
RR.	2	29	Just propaganda.	150	18	In judging the situation in the two countries it must be said that England had an excellent propaganda.
SS.	2	29	It has done much damage that many reluctant Germans said and wrote to Englishmen after the solution	150	20	The attitude of Germans, including ones in prominent positions, had given considerable support to this English propaganda

			of the Czech question: the Fuehrer carried his point because you lost your nerve, because you capitulated too soon.			in Autumn 1938. They had said before and during the crisis: "England will intercede in favor of Czechoslovakia even with her armed forces". When this did not come off they said: "We admit we were wrong; the Fuehrer was right. He won because he had the better nerves and stuck it out."
TT.	2	32	This explains the present propaganda war. The English speak of a war of nerves. It is one element of this war of nerves to present the increase of armament.			No.
UU.	2	34	But how is British rearmament in actual fact. The construction program of the Navy for 1938 has not yet been filled.	151	7	How is the present military situation in England. The Naval shipbuilding program has only partly been carried out.
VV.	2	35	Only mobilization of the reserve fleet. Purchase of fishing steamers.			No.
WW.	2	36	Considerable strengthening of the Navy, not before 1941 or 1942. Little has been done on land. England will be able to send a maximum of three divisions to the Continent.	151	9	Its effect is not to be expected before 1941 or 1942. The land troops had not been noticeably increased. The possible strength on the Continent had been estimated at three divisions.

	Page	Line		Page	Line	
XX.	2	39	A little has been done for the Air Force but it is only a beginning. AA defense is in its beginning stages. At the moment England has only 150 AA guns. The new AA gun has been ordered. It will take a long time until enough have been produced.	151	12	In the air a certain success can be noted which, however, is still in its beginning. The modern antiaircraft gun had been introduced last year, there are 150 to 200 guns available in the country, the monthly deliveries amount to 15 to 20. Even with us and our better industry, an increase of this production would require 9 to 12 months. For instance to increase the production from 70 to 90, how much more so in England?
YY.	2	42	Fire directors are lacking.			No.
ZZ.	2	43	England is still vulnerable from the air.	151	20	She was also vulnerable from the air.
a.	2	43	This can change in two or three years.			No.
b.	2	44	At the moment the English Air Force has only 130,000 men.	151	20	The Air Force itself had in England about 130,000 men.
c.	2	44	France 72,000 men; Poland 15,000 men.			No.
d.	2	45	England does not want the conflict to break out for two or three years.	151	23	Political and military complications in the world are therefore not welcome for England as she had to defend many positions.
e.	2	47	The following is characteristic for England. Poland wanted a loan from England for rearmament.	151	26	What England thinks of Poland is shown by the negotiations for a loan. England had declined Poland's request for 8 mil-

			England, however, only gave credit in order to make sure that Poland buys in England, although England cannot deliver. This means that England does not really want to support Poland. She does not risk 8 million points in Poland, although she put half a billion into China. England's position in the world is very precarious. She will not accept any risks.			lion points gold Sterling, although she had recently invested half a billion in China. When Poland then requested arms they have mentioned ridiculous figures of obsolete material, in other words declined any serious assistance with the reason that they need their gold and arms themselves. Only such credit for goods had been granted which do not mean any serious help. The situation of England was certainly precarious. "It therefore seems impossible to me that any responsible British statesman would take the risk of a war for England in this situation."
f.	2	53	France lacks men (decline of the birthrate). Little has been done for rearmament.	152	10	France cannot afford a long bloody war, her conscription classes are too small, her material not sufficient.
g.	2	54	The artillery is antiquated.			No.
h.	2	54	France did not want to enter in this adventure.	152	11	France was forced into this situation against her will.
i.	2	55	The West has only two possibilities to fight against us: (1) Blockade: It will not be effective.	152	14	Which are now the possibilities for an intervention of the Western Powers? (1) The blockade which however has not the significance any more as before.

	Page	Line		Page	Line	
j.	2	56	Because of our anarchy and because we have sources of aid in the east.			No.
k.	2	58	(2) Attack from the west from the Maginot line: I consider this impossible.	152	18	Here one had to consider what it would mean for the French soldier who had been brought up with the idea to defend the Maginot line, to come out of this defense line and attack the German Westwall to lose perhaps a quarter of a million men without any definite guarantee of success. Because the German nation who had heroically defended shellholes before would certainly hold the present Westwall.
l.	2	59	Another possibility is the violation of Dutch, Belgium, and Swiss neutrality. I have no doubts that all these states as well as Scandinavia will defend their neutrality by all available means.	152	26	The Western Powers might perhaps try to advance against Germany through neutral territory, and here the Fuehrer began to review the neutrals. All of them had the honest desire to remain neutral: the Nordic states unconditionally.
m.	2	61	England and France will not violate the neutrality of these countries.	153	7	It would, however, be impossible for England and France to violate the neutrality of this country against her will.
n.	2	62	Actually England cannot help Poland.	153	10	Perhaps the declarations of neutrality by these countries were given at the instigation of England in order to give England a reason for her drawing back at

o.	2	64	There remains an attack on Italy. A military attack is out of the question. No one is counting on a long war. If Mr. von Brandutch had told me that I would need 4 years to conquer Poland I would have replied: then it cannot be done.			the outbreak of a conflict between Germany and Poland. She would then say: ***we regret that we are unable to help. No.
p.	3	1	It is nonsense to say that England wants to wage a long war.	153	17	Now many say: "England is prepared for a long war". The Fuehrer believes this opinion to be wrong. No.
q.	3	3	We will hold our position in the West until we have conquered Poland. We must be conscious of our great production. It is much bigger than 1914-1918.			
r.	3	6	The enemy had another hope, that Russia would become our enemy.	154	5	Among the Western powers there was hope for the cooperation of Russia. No.
s.	3	6	After the conquest of Poland. The enemy did not count on my great power of resolution. Our enemies are little worms. I saw them in Munich.			

	Page	Line		Page	Line	
t.	3	9	I was convinced that Stalin would never accept the England offer.	154	8	But only a blind optimist could believe that Stalin would be so crazy as not to see through England's intentions.
u.	3	10	Russia has no interest in maintaining Poland.			No.
v.	3	10	And Stalin knows that it is the end of his regime no matter whether his soldiers come out of a war victorious or beaten.	154	16	Stalin furthermore has to be afraid just as much of a victorious army as of a beaten one.
w.	3	12	Litvinov's replacement was decisive.	154	17	The dismissal of Litvinov as Foreign Minister affected the Fuehrer like a gun shot.
x.	3	12	I brought about the change toward Russia gradually.	154	19	A careful change in the political attitude took place, beginning with the fact that the Fuehrer treated the Russian ambassador at a reception just as politely as the other diplomats.
y.	3	13	In connection with the commercial treaty we got into political conversation. Proposal of a nonaggression pact. Then came a general proposal from Russia. Four days ago I took a special step which brought it about that Russia answered yesterday that she is ready to sign. The personal contact with Stalin is established.	154	23	Further discussions in the economic sphere resulted which led to a commercial agreement. Finally a proposition came from the Russians: (1) For a nonaggression pact. (2) For an intervention between Russia and Japan. (3) For a solution of the questions of the Baltic provinces.

aa.	3	17	The day after tomorrow von Ribbentrop will conclude the treaty.	155	4	The nonaggression pact was to be signed on 23 August.
bb.	3	18	Now Poland is in the position in which I wanted her.	155	7	Now we have the possibility to strike at the heart of Poland, the military road, to the best of our knowledge, is free.
cc.	3	20	We need not be afraid of a blockade. The East will supply us with grain, cattle, coal, lead, and zinc. It is a big arm which demands great efforts. I am only afraid that at the last minute some Schweinehund will make a proposal for mediation. The political arm is set farther. A beginning has been made for the destruction of England's hegemony. The way is open for the soldier, after I have made the political preparations. Today's publication of the nonaggression pact with Russia hit like a shell. The consequences cannot be overlooked. Stalin also said that this course will be of benefit to both countries. The effect on Poland will be tremendous. Goering answers with thanks to the Fuehrer and the assurance that the armed forces will do their duty.			No.

[Cover page]

Top secret

The Reichsfuehrer SS
Statistic-scientific Institute

10 copies, 6th copy.

The Strength
of the SS
on the 30 June 1944.

[in pencil:] 81

[page 1]

Total strength of the SS on 30. 6. 1944

Allgemeine SS excluding members of the SS who are at present serving as reservists in the Waffen SS.

Not called up	64,614
Called up into the Wehrmacht	115,908
Called up into R.A.D. (labor service)	722
Called up for other employment	19,254
Total	200,498
Waffen SS (serving with the colors and reservists)	594,443
SS total	794,941

[page 24]

Total strength of the Waffen SS

Field units	368,654
New formations and reinforcements	21,365
Training and reserve units	127,643
Training schools	10,822
Other units and offices directly subordinate to the Operational HQ of the SS High Command	26,544
Waffen SS personnel at the Head Offices	39,415
Total	594,443

[page 28]

Members of the Waffen SS in the Head Offices

(Excluding the Operational HQ of the SS High Command)

SS Head Office	9,349
Racial and Settlement Head Office of the SS	2,689
SS Economic and Administrative Head Office (WVHA)	24,091
Personal Staff of the Reichsfuehrer SS	673
SS Personnel Head Office	170
Head Office, SS Court of Justice	599
Bureau of SS Obergruppenfuehrer Heissmeyer	553

Reich Commissar for the Consolidation of German Folkdom (Staff Head Office)	304
Reich Commissar for the Consolidation of German Folkdom (Head Office of the Volksdeutche Mittelstelle (Central Office for persons of German race))	987
Total	39,415

TRANSLATION OF DOCUMENT D-879

Extracts from Admiral ASSMAN'S Headline Diary

10.10.39.

[Sheet 10] E The *Fuehrer* agrees that for the time being the 2 battleships, which are at present the only ones, are not to be employed fully—Russia has offered bases at Murmansk (of sheet 23)—question of blockading England. The *Fuehrer* and the *C in C* Navy agree that all objections by neutrals have to be rejected even in case of *a danger of the USA entering the war, which seems certain if the war continues.* "The more brutally the war is waged the earlier the effect, the shorter the war."

[Sheet 12] UK N R (Ob.d.M.) Capacity for big U-boat building programme—for political reasons Fuehrer rejects proposal to build or buy in Russia—C in C Navy states that the conquest of the Belgian coast brings no advantage for the U-boat war; points out the value of *acquiring Norwegian bases, (Drontheim) with the help of Russian pressure.* Fuehrer wishes to weigh the question.

[Sheet 14] UK Memorandum: prerequisites in the field of war economy for a great U-boat building programme—draft of a Fuehrer order for them to be put into effect.

TRANSLATION OF DOCUMENT D-880

Extracts from Testimony of Admiral Erich Raeder, taken at Nurnberg, Germany, on Saturday 10 Nov, 1945, 1415-1615, by Major John Monigan Jr., CAC, OUSCC. Also present: Leo Katz, Interpreter and John J. Murtha, Court Reporter.

[page 5]

Q. I show you a photostat copy, identified as Document C-75, dated March 5, 1931, and ask you if you recognize it.

A. Yes, this is a directive of the OKW about cooperation with Japan.

Q. And did you receive a copy of this directive?

A. This copy was sent to the Seekriegsleitung, the Navy High Command.

Q. Do you recognize the handwriting, the marginal handwriting, on page one of the document?

A. Yes, this officer, he was the AI in the A–I or operations officer in the OKM.

Q. Slightly exaggerated (referring to a marginal notation).

A. Yes, a little.

Q. How were the matters contained in the first paragraph of the paper to be accomplished?

A. By negotiations with Japan, through the Foreign Office. And later the visit of Matsuoka took place about negotiations as to intervention of Japan.

Q. Would such matters be accomplished by Foreign Office people alone or would that be in collaboration with the High Command of the Navy and OKW?

A. No, the negotiations were lead by the Foreign Office and on the part of the Japanese there was this delegate, Oshima, who was an officer. He negotiated with the Foreign Office in his capacity as delegate, but apart from that he was sufficiently an expert to look at this thing from a military standpoint as well. Military authorities had long before that carried on negotiations with the Military and Naval attaches about the needs and other things that the Japanese needed (going through a paragraph in the document). This was all talked about and threshed out with the Military and Naval Attaches.

TRANSLATION OF DOCUMENT D-881

Extracts from Admiral Assman's Headline Diary

23.2.40.

[Sheet 93] R *Baltic:* Alteration of the 20° line of demarcation
E towards Russia desired. *North Sea:* favorable
U.K situation for battleship thrusts; loss of two destroyers
L probably through our own planes—U-boat
USA successes are on the increase; attacks on
passenger ships; *aerial mine attacks on the English*
East Coast (footnote: difference of opinion

between the C. in C. Navy and C. in C. Air Force regarding time of action; resolved by the Fuehrer in favor of the C. in C. Air Force (putting off the action) (War Dairy A, Vol. 6, sheet 205).). *Fuehrer* rejects employment of U-boats off *Halifax, owing to psychological effect on the U.S.A. (cf. appendix, sheet 99),* as well as the employment of *U-boats in the Mediterranean* without the previous consent of the Duce (but see sheet 107u) C. in C. Navy considers that both refusals represent a considerable limitation of U-boat warfare.

[Sheet 96] N R *Fuehrer's* question regarding the maintenance of ore imports from Narvik after the *occupation of Norway* is answered by the *C. in C. Navy* to the effect that *Norway's neutrality* is most favorable for ore imports. On the other hand, if England occupied Norway, we would probably lose the whole of Swedish ore imports,—There follow details for carrying out the occupation of Norway by Germany. Purchase of Esthonian U-boats only possible via Russian mediation—German–Russian treaty (38 cm. and 28 cm. towers).

[Sheet 99] A USA Appendix: considerations re employment of U-boats off Halifax.

[Sheet 102] N R C. in C. Navy reports on "*Weser-Ubung*" believes it will succeed if surprise is ensured, although the enterprise breaks all the laws of naval warfare as taught. The hardest part is the way back, for which all modern naval forces must be concentrated: C. in C. Navy recommends that, when Norway is occupied, the Russians should be told, as a concession, that we are not occupying Tromso. The *Fuehrer* considers that we must occupy Tromso too.

26.3.40

[Sheet 105] N The occupation of Norway by the British was imminent when the peace was concluded between Russia and Finland. *Fuehrer's* question as to whether a British landing in Norway was acute at the moment is answered in the negative by the *C. in C. Navy.* The C. in C. Navy *suggests an action by us for the next new moon (7 April). Fuehrer agrees.*

26.3.40

[Sheet 107] L *Aerial mine warfare*: *C. in C. Navy* demands immediate commencement; difference of opinion with C. in C. Air Force who does not consider the stock of mines sufficient yet (cf. appendix, sheet 109). *Fuehrer agrees.*

[Sheet 109] *Appendix*: *Use of aerial mines.*

TRANSLATION OF DOCUMENT D-884

Nationalsocialist German Workers Party
Gauleitung Baden/Alsace

The Gaustabsamtleiter Strassburg, 28 March 1944
No. 79/44 Secret

Subject: Employment of Foreign Nationals.

With reference to the discussion which took place on the above matter in the Gau Staff Office on the 3.3.44, I bring to your attention the following letter from the Higher SS and Police Chief, Stuttgart, to the Gauleiter:

"The uncertainty existing within the competent offices regarding the treatment of—

> I. Foreign workers from the East and South-East, as well as POW's of various nationalities, *in respect of illegal sexual intercourse,*

as well as the treatment of

> II. Pregnant foreign workers (female workers from the East and from Poland) and of children of foreign female workers born in the Reich

give cause to give a summary once again of the more important sections of the orders and directives on this subject that have so far been issued for my sphere of authority, and to recommend strict compliance with them. The situation appears to call particularly for influencing the works managers via the offices of the DAF (German Labor Front) and of the Reich food authorities, for making them familiar with the orders *to the extent that these can be applied to the public,* and for pointing out to them their duties of educating the foreign workers. In particular, these offices must be expected to remain in constant close touch with the works managers, so that detected cases of pregnancy in foreign workers can immediately be suitably recorded.

I

The following orders are in existence regarding the illegal sexual intercourse of *foreign workers.*

Any serious violations, such as rape or crimes against morality and *sexual intercourse with German women and girls* are to be reported to the SD (Security Police) at once; on principle, the legal authorities will not be concerned with this to begin with. As a rule, *both* parties will be arrested. After checking nationality, the foreign partner will be subjected to an examination as to race by the competent SS chief for Matters of Race and Settlement; the possibility of Germanization will be checked.

Upon a case of sexual intercourse becoming known, an official medical officer has to ascertain immediately whether the *German* woman concerned has become pregnant. It is to be stated what stage the pregnancy has already reached and whether another person—and what person—apart from the foreigner concerned, comes into consideration as sire of the child to be expected (this will be established by the Youth Office [Jugendamt]). If the foreigner is capable of being Germanized, and if both single persons are judged to be racially sound, *marriage* is possible under certain circumstances (see under *a, b, and c*); however, for the time being, marriages between workers from *Serbia* or *workers from the East* and German girls are not permitted (see under *d* and *e*).

The following principles exist with regard to sexual intercourse between *German men* and *female foreign workers*:

Should the foreign female worker have been induced to sexual intercourse by the German man (for instance by taking advantage of a condition of dependency), she will be taken temporarily into protective custody and then sent to another place of work. In other cases, the foreign female worker will be sent to a concentration camp for women. Pregnant women are to be sent to a concentration camp only after delivery of the child and the period of nursing. The treatment of the German man concerned is also the subject of special directives; if he has seriously violated his supervisory or educational duties, female foreign workers will be taken away from him and no more sent to him in the future. Further measures depending on the circumstances of the case will be taken by the State Police.

The principles enumerated up to now apply particularly to the following groups of persons:

a. Workers of Polish race.

b. Foreign workers from the Government General and the incorporated Eastern territories who are not of Polish race (Ukrainian, White Ruthenians, Russians, Goralians).

c. Workers from Lithuania.

d. Workers from former Soviet territory (Eastern workers).

e. Workers from the territory of the military commander Serbia.

II

Regarding the Treatment of Pregnant Foreign Workers and Children Given Birth to by the Same in the Reich

Particular attention is drawn to the directives for the treatment of such children in circular No. 186/43 and 10/44 of the NSDAP Reichsleitung Head Welfare Office (with enclosed extract from the decree of the Reichsfuehrer SS and Chief of the German Police—S—IVD—377/42 of the 27th July 1943). The procedure for an application for abortion is once more explained below:

1. The factories report *all* cases of pregnancy to the competent *Labor Office.*

2. The Labor Office reports the case to the *Youth Office* [Jugendamt] in order to establish paternity. If the sire is a German or of related (Germanic) race, the Youth Office reports the case to the Health Office [Gesundheitsamt].

3. The Health Office carries out an examination to determine health and hereditary health and submits a report (with photo). The Health Office passes the matter on to the "Commissioner of the Reich Commisar for the Consolidation of German Race."

4. The latter makes his findings according to the directives of the Reichsfuehrer SS. The Race and Settlement chief deals with the racial investigations.

5. If the investigations show that the progency will be racially satisfactory and hereditarily healthy, they will, after birth, go to homes for foreign children, to be looked after by the National Socialist Welfare Organization (NSV), or will be looked after by families.

6. In negative cases, the children will be lodged in Foreign Children's Nurseries.

7. The Commissioner of the Commissar will inform the following authorities of the decisions:

The competent Youth Office
The Gau NSV Office
The Labor Bureau

I request the Kreisleiters to record immediately through the usual channels, in conjunction with the Kreisobmann of the German Labor Front and the Kreis peasant leader, all cases of pregnancy which have already occurred and all children already born. An examination, in accordance with the new directives, of all children of foreign female workers who were taken under the care of the NSV before the issue of the new instructions is also necessary

Time limit: 1st May 1944.

Heil Hitler
[Rubber stamp] [Signed] SCHUPPEL
Hauptbereichsleiter of the NSDAP

Certified correct copy
[signature illegible]
Gauhauptstellenleiter

Distribution:

Gauobmann of the German Labor Front.
Gau propaganda chief.
Gau press office chief.
Gauamtsleiter of the Bureau for Racial Policy.
Gauamtsleiter of the Bureau for National Health.
Gauamtsleiter of the Bureau for the Peasantry.
Gauamtsleiter of the Bureau for National Welfare.
Gauamtsleiter of the Bureau for Questions of Race.
Gau Women's Leadership.
Gau Labor Office, Baden/Alsace.
Kreisleiters, Baden/Alsace.
Kreisobmaenner of the German Labor Front.
Kreis Peasant Leaders.
Commander of the Security Police and SD, Strassbourg.
Head of the Office of the Commissioner of the Reich Commissar for the Consolidation of German Race, Strassbourg.

SECRET

District	Births	Abortions	Pregnancies	Agriculture	Industry and Professions
Bruchsal	1	9	1	1	10
Buchen	33		18		
Buehl			9	1	
Donaueschingen	48	15	27	61	29
Emmendingen	46	9	30	33	52
Freiburg					
Heidelberg	46		8	28	18
Karlsruhe	73		41		
Kehl	9		3		

District	Births	Abortions	Pregnancies	Agriculture	Industry and Professions
Konstanz	45		45		
Lahr	3		4		
Loerrach	2				
Mannheim					
Mosbach	34		2	17	17
Muellheim	1	2		1	2
Neustadt	26		1		
Offenburg			16		
Pforzheim	10			10	
Rastatt	26			11	15
Saeckingen	13			4	9
Sinsheim	78		46		
Stockach	43				
Ueberlingen	36		25		
Villingen	21	4			
Waldshut	Nil return				
Wertheim	25	3	8		
Wolfach					
Altkirch	2				
Gebweiler	Nil return				
Hagenau	Nil return				
Kolmar	2				2
Molsheim	Nil return				
Muelhausen	20		15		
Rappoltsweiler	Nil return				
Schlettstadt	4		5	1	7
Strassburg	11		9		
Tann	Nil return				
Weissenburg	Nil return				
Zabern	5		1		

NSDAP

Villigen, 21.5.1944

Gau Baden, Kreis Leadership Villingen, The Kreisleiter
To the NSDAP Gauleitung Baden
The leader of the Gau Staff Office
Strassburg.

Re: Employment of Foreigners. Circular letter No. 79/44 secret

An exact statement on the cases of pregnancy that have already occurred is no longer possible, as these cases have not been registered at any office. As far as I could find out up to now, there have been about 21 pregnancies, of these 4 abortions are said to have been carried out, during which 2 of the women died. Of the remaining 17 births, 5 were stillborn. Welfare by the NSV has not taken place anywhere.

Heil Hitler!
The leader of the Kreis of Villingen
(Signed) Arnold Haller
[Rubber stamp] District leader of the NSDAP

NSDAP
Gau BADEN
Kreisleiter
E./Gi.

Donaueschingen, the 13th of May 1944

To the Gau Staff Office
Strassburg

Subject: Employment of foreign labor.

I send below the report due on the 1st May 1944 of the pregnancies of foreign female workers which have occurred up to now in the district area.

A. Industry and handicrafts

1.	Pregnancies	13
2.	Abortions	12
3.	Children	4

B. In agriculture

1.	Pregnancies	14
2.	Abortions	3
3.	Children	44

Gauleadership Baden of the NSDAP Staff office
received 19th May 1944

[Stamp]
Of Kreisleiter

HEIL HITLER
[signed] Eger

TRANSLATION OF DOCUMENT D-885

Berlin, October 28, 1939.

My dear Police President:

For your enthusiastic letter of September 22, I thank you heartily. I was quite particularly pleased about it. This wonderful campaign in Poland was a grand opening for this hard and decisive struggle and has brought about for us an unusually favorable point of departure politically as well as militarily. The most difficult part for the people as well as the Army is naturally still ahead. But the Fuehrer and his associates are full of the greatest confidence; for the sanctimonious British will not succeed in throttling our economy, and militarily we are without worry. Decisive is the will of the people to stick it out, and this the many strong-willed and devoted men who are today at the head of the districts and in other responsible posts will take care of. This time we will show that we have the better nerves and the greater unity. That you, Police President, will contribute your weighty share to keeping the Czechs at it and to not letting them perk up, of this I am convinced.

I was very pleased about the high recognition granted the troops of the Ostmark (Austria) for their courageous behavior. The youngest of the fourteen officers who were awarded the Ritterkreuz personally today by the Fuehrer was also an Austrian, a Lieutenant Scholz.

Thanking you once more heartily for your words of appreciation which exceed by far my modest contribution in the shadow of the powerful personality of our Fuehrer.

I am with Heil Hitler
your always devoted,
A. Jodl.

Enveloped addressed to:
Police President
Dr. Karl Schwabe
Bruenn (Moravia)
Police Presidency.

TRANSLATION OF DOCUMENT D–892

Extract from Admiral Assmann's Headline Diary

12–14 May 1943.
[Sheet 318]

Report to the Fuehrer in person. The *Fuehrer* does *not* share the Duce's opinion that Sicily is the enemy's next objective. (Anglo-Saxon order which has been found indicating *Sardinia and the Peloponnesus).*

C. in C. Navy does not believe that the Italian supreme commanders (Duce, Supreme Command, Naval Command) *have fully understood* the Idea *"stress on supplies"* including increasing the capacity of the ports for unloading. He underlines the fact that the Italian Naval Command's demand for air attacks on the African supply ports is right, but that the stress lay on protecting supply, using small vessels as well and even the tiniest harbors. He says that the Sea Transport Chief, Italy (Engelhardt) had already done good preparatory work in this direction. There follows a report by the Sea Transport Chief Italy, about transport requirements—200,000 tons per month for Sicily, 80,000 tons per month for Sardinia—and how they are to be covered, particularly by small vessels. *C. in C. Navy* stresses, and the *Fuehrer* agrees, that the Sea Transport Chief must be independent in the employment of shipping space and that intervention by the home staff Overseas, OKW, is harmful. The Fuehrer asks whether C. in C. Navy has the impression that the Duce is determined *to hold out.* The C. in C. Navy replies that he "assumes this to be certain but naturally does not know." The Italian's main weakness, he says is lack of initiative.

UK *C. in C. Navy* points out that "owing to the Mediterranean now being free the Anglo-Saxons are gaining 2 million gross registered tons of shipping space." The *Fuehrer* interrupts: "which the brave U-boats must sink again now." *C. in C. Navy:* And we are at present in the biggest crisis of the U-boat war because the enemy has for the first time made fighting impossible by new means of determining position and is inflicting heavy losses on us (15-17 U-boats per month). *Fuehrer:* "The losses are too high, we can't go on like that!"

C. in C. Navy goes on to say that the Bay of Biscay is also our only narrow exit, to get through which is extremely difficult and already takes 10 days. C. in C. Navy *sees the best strategic solution in the occupation of Spain and Gibraltar.* To this the *Fuehrer* says that this was still possible in 1940, carrying Spain along with us, but that our forces are not sufficient for this purpose now and against Spain's will: the question of supplies is therefore to be embarked upon as proposed by the Sea Transport Chief.

TRANSLATION OF DOCUMENT D-894

Report of the 23rd September 1944.

Kreis leadership making the report: TANN of the NSDAP or office

Subject: Foreigners

Polish youth in the Kali mining area, which has always shown an endeavor to stick particularly closely together, is being watched with especial care.

The Ortsgruppenleiter Wittelsheim reports that he noticed 13 young Poles who had left Buggingen without permission and who were in possession of medical certificates. He had 11 of these Poles arrested and taken to the Gestapo at Muelhausen for reexamination.

The Kreisleiter of the Kreis Tann

[rubber stamp]

Heckmann
Communal leader of the NSDAP

TRANSLATION OF DOCUMENT D-897

[(4a) (1)]

Erfurt, the 4th April 1938.

Security Service of the Reichsfuehrer SS.
Branch Office Erfurt.

Special Order

Top Secret.
I/38.

Strictly Confidential

To all Heads of Sections (Referent) and Stuetzpunkleiter.

Stuetzpunkleiters are to report not later than 1800 hours on the 7th April 1938 all persons in their district about whom it is safe to assume (with 100% probability) that they will vote "No" at the impending plebiscite. (Don't forget the International Jehova's witnesses!).

Heads of Sections are to support the Stuetzpunkleiters locally as much as possible in this matter.

This matter is also to be carried out in closest collaboration with the Ortsgruppenleiters of the Party. The Ortsgruppenleiters will be instructed by the Aussenstellenleiter [Head of the Branch Office] personally after 1800 hours on the 5. 4. 1938.

The list of persons must contain the following details: Name, christian name, exact address, and a short explanation why the person concerned is expected to vote "No" and which members of these person's families who are entitled to a vote, share the same views.

The tremendous responsibility which the Stuetzpunkleiters have —in particular with regard to this report—is stressed once more: the Stuetzpunkleiters must clearly understand the potential consequences for the persons contained in their report. It must be particularly strongly considered whether the persons who impart such information to the Stuetzpunkleiters and from whom the

Stuetzpunkleiters make their inquiries, are not motivated by personal reasons; even political leaders are not excepted from this.

The confidential nature of this Order is again emphasized.

The order is to be minutely memorized and thereafter destroyed immediately. (Every Stuetzpunkleiter is personally responsible to me for the complete destruction of this Order!).

The Aussenstellenleiter (Head of the Branch Office)
[signed] HELFER.
SS. Oberscharfuehrer.

[(4a) (2)]

Elections on 10. 4. 1938.

Increased attention is to be devoted to participation in and the results of the plebiscite on 10. 4. 1938, particularly in small towns and villages. It must, above all, be ascertained, whether the opponents are to be sought in Marxist ideological or opposition circles.

A. Marxism:

One must count on the possibility of Marxist circles organizing excursions in groups to smaller localities on the day of the plebiscite and voting there with voting forms. It is thereby intended to exercise a check as to whether the No-votes deposited in these places actually appear on the plebiscite result.

If any observations of this nature are made, they should be reported immediately.

B. Catholicism:

The attitude of the clergy deserves special attention.

1. What effects did the declaration of the German-Austrian bishops have on the clergy and the believers?

2. Was any attitude expressed during church services and similar meetings?

3. Have any official ecclesiastical declarations with regard to plebiscite or to the Austrian "Anschluss" and the declaration of the German-Austrian bishops become known? (Exact text is to be submitted).

4. Has any attitude been expressed towards the papal counter-declaration which was broadcast by the Vatican radio and which rejected both the declaration of the Austrian bishops and the attitude of the "Schwarzen Korps"?

C. Protestantism.

Special attitude of the clergy is to be observed.

1. What official ecclesiastical declarations became known with regard to the Austrian Anschluss?

2. Was any attitude expressed about the Anschluss or the plebiscite during services?

3. What comment did the Church press make?

4. Has the "Bildblatt" der deutschen evangelischen Kirche zur Volksabstimmung am 10. 4. 1938 ("Feuilleton" of the German Protestant Church for the Plebiscite on 10. 4. 1938) (16 pages long) been distributed?

5. Were the bells of all religious communities rung on the evening of 9. 4. 1938, following the Fuehrer's speech in Vienna?

6. Were any confirmations celebrated on 10. 4. 1938?

D. Freemasons.

1. What was the opinion about the Austrian Anschluss in the various Freemason circles?

2. Have any contacts of German Freemasons with Austria or journeys to Austria become known?

E. Jewry.

What is the attitude of Jewish circles towards the completed Austrian Anschluss and the impending plebiscite?

Special reports are to be submitted as soon as possible about points A—E.

It is suggested that the election officials are contacted in a suitable manner where necessary. The exertion of any kind of pressure must, however, be desisted from.

Furthermore, all observations which are made in various fields on the occasion of the plebiscite on 10. 4. 38 are to be reported in the form of special messages.

[(4a) (3)]

Gispersleben, 25. 4. 1938

Security Service of the Reichsfuehrer SS.
Sub Sector Thuringia/Erfurt.
Branch Office Weissensee
To the Branch Office, Erfurt.
Subject: "No"-voters in Weissensee. Election on 10. 4. 1938.
Previous correspondence: See preceding report.

Enclosed are the data forms relating to the 7 "No"-voters. The following procedure was employed for finding them out:

Prior to the election, Party Member Paul Fritsche of Jakobstrasse, Weissensee, Thuringia completed a register of all persons suspected of voting "No". On the election day every person included on this list received from a specially selected official a voting paper which was marked with a number imprinted by means of a colorless typewriter. The number of this voting paper was entered by the official in the above-mentioned register after the voter's name. After the conclusion of the election the voting papers were sorted and all slips with an imprinted number taken out. With the help of the register, the action of the watched persons could be examined accurately.

The names of the "No" voters have been reported to the local collaborator by the above-mentioned Party member Fritsche.

[signed] R. WEINGART.

[(4a) (4)]

Gispersleben, 4. 5. 1938.

Security Service of the Reichsfuehrer SS.
Sub Sector Thuringia/Erfurt.
Branch Office Weissensee.
To the
Branch Office
Erfurt.
Subject: Plebiscite on 10. 4. 1938
No previous correspondence.

The following incident occurred at Soemmerda on election day:

The tax-consultant Otto Zobel of No. 6 Raemenstrasse, Soemmerda entered the voting center. He received a voting paper and envelope there and—contrary to the behavior of the other voters—took them into the voting booth. As Zobel is known as a fanatic Center Party adherent and as a man who is unfavorably inclined towards National Socialism, the election official, Albert Schumann of Dreyseplatz, Soemmerda, did not throw the envelope into the voting box immediately but tried to push it under the paper end which is situated on the voting box to cover the slit so as to be able to open the envelope later at an opportune moment. Zobel observed this procedure and drew the official's attention to the fact that the envelope had not been placed in the voting box at all. To avoid raising any suspicion the official Schumann then apologized saying that the envelope had got under the paper cover by mistake, and he then placed it unopened into the voting box.

Zobel's behavior indicates that he did not wish the nature of his vote to become known. This fact, together with the above-mentioned political attitude gives rise to the well-founded suspicion that Zobel voted "No."

The above-named man has a tax-consulting office in Soemmerda. His personal data are as follows:

Name: Zobel, Otto
Place of residence: Soemmerda
Address: Raemenstrasse, No. 6
Date of birth: 25th May 1898
Place of birth: Soemmerda
Single or Married: Single.
Religion: Catholic.
Relation to the Party: Not a member of the N.S.D.A.P.

Moved to Soemmerda the last time on 1st November 1933 from Fulda.

[signed] : R. WEINGART.

[(4a) (5)]

Erfurt, the 9th April 1938

Security Service of the Reichsfuehrer SS.
Sub Sector Thuringia/Erfurt.
Branch Office Erfurt.

To all Ortsgruppenleiters of the N.S.D.A.P. of the Kreis of Erfurt-Weissensee.

On their appearance in your Ortsgruppen area for the purpose of carrying out their voting duty, the under-mentioned persons are to be specially watched and the Kreisleitung of Erfurt (Election Office SD.) is to be notified immediately:

Kaufman, Karl
Kaufman, Hedwig
Paessler, Wilhelm
Paessler, Margarete
Stange, Otto
Stange, Else
Langhammer, Emil
Fulle, Hildegard
Ehmer, Jacob
Pfotenhauer, Paul
Wettwer, Elisabeth
Hense, Karl
Sonren, Josefine
von Natusius, Walter
Chrestensen, Karl
Mueller, Heinrich
Mueller, Else
Schmidt-Henrici, Gerhard
Kletschke, Gustav
Ziegler, Karl
Ziegler, Kaethe
Buchmann, Karl
Graf, Helene
Grunewald, Berta
Deckers, Maria
Hense, Charlotte
Grohmann, Paul
von Nathusius, Erika

By order of the Kreisleiter, this matter is to be treated as *strictly confidential.*

The Aussenstellenleiter [Head of the Branch Office]
[Signed] : HELFER
SS. Oberscharfuehrer.

[(4a) (6)]

Gispersleben, 13. 4. 1938.

Security Service of the Reichsfuehrer SS.
Sub Sector Thuringia, Erfurt.
Branch Office Weissensee.
To the Branch Office Erfurt.

Subject: Jehovah's Witness—Rob. Siering, Guenstedt.
No previous correspondence.

This is to notify you that the Jehovah's witnesses Robert Siering and his wife appeared in the voting center in Guenstedt on Sunday morning and deposited their vote, after both had been advised of their duty to vote by the police in Griefstedt and had been threatened with the removal of their child in case of non-participation.

It has been ascertained beyond doubt, however, that they only handed in the empty envelope; it must be added though, that their names had already been struck off the voter's list, as they had left on Friday.

[Signed]: R. WEINGART.

TRANSLATION OF DOCUMENT D-901

1. Ortsgruppe Darmstadt-Schlossgarten
 20 February 1939
Point 9, Ecclesiastical questions

As the caretaker of the communal building of the St. Martin's community, Blockleiter and party member Keil informs me that meetings of the Confessional Front are again taking place at the St. Martin's institute, Mellerstrasse (Ortsgruppe Gutenberg), the public being excluded. Only the possessors of a red pass are admitted. Even the sexton who has to check these admission tickets can no longer attend these meetings since he left the Confessional Front. That these evenings do not serve ecclesiastical or rather "Christian edification" can already be seen from the fact that only a very limited circle are admitted. If the Confessional Front holds meetings behind tightly locked doors, then the contents of the "Bible classes"—or whatever other name is used as a pretense—are pretty obvious. Otherwise they need not be afraid of the light of publicity or hold secret sessions. Certainly the Gestapo is entitled to supervise the meetings, but they also can only gain admission there by showing their official passes, and the evening would then certainly take a very harmless course. These "secret sessions" ought to be forbidden.

[signed] Wimmer
Ortsgruppenleiter

2. Ortsgruppe Pfungstadt
17 February 1939

To the 42 point report as to 33c—ecclesiastical questions

"Whoever leaves the church has different taxes imposed on him," so our already much discussed confessional pastor Strack said once again on the occasion of a mother's evening. This gentleman should really be rapped on the knuckles seriously for once.

It would also be urgently indicated that some authority should look after those children whose parents have left the church. Every sect looks after its children, only the "gottglaeubigen" [translator's note: Nazi term for people who have retained their belief in God, but have left the official churches] find no one to look after them. The result is that they first attend the usual religious classes for three or four years and have to be reconverted later, which might not be successful in all cases. Here is a gap that the party ought definitely to close.

The Ortsgruppenleiter
Frick [?]

3. Ortsgruppe Darmstadt-Gervinius
17 February 1939
Re: 42 point report
Point 9: Ecclesiastical questions

The attached inclosure gives an insight into the activities of the Confessional Front. The poem "Thine is the choice" was pushed into the hands of three senior pupils by a woman in the Kirchstrasse. The Catholic priest Degen holds meetings with young male and female students with beer and cigarettes. Dance evenings are also held. Parts of the Bible are read out in which work is praised.

The school run by the English misses was transferred to the house of the Catholic priest Degen in the Annastrasse after it had been dissolved. No propriety and discipline; the girls smoke and come and go when they feel like it. Where is the school supervising authority?

Heil Hitler
1 inclosure. Ortsgruppenleiter

"Thine is the choice"

(A poem of 4 verses about the choice between a life of pleasure and emptiness, and spiritual life and eternal happiness)

4. Ortsgruppe Hahn
19 February 1939
Re: Political situation report for February 1939
9e Church and Youth

The church has no influence here on the male youth; it comes into touch with them only in as far as the parents send the boys to confirmation classes. As the priest has no authority whatsoever, wild scenes take place there.

It is a different matter where the girls aged 10-14, i. e., the age of the Junior Hitler Girls, are concerned. As has been previously repeatedly reported, an "Evangelical Youth Club" still exists, and the majority of the Junior Hitler Girls go there. An occasional discussion with the sub-Gau of the German Girl's League (female Hitler Youth) brought no change either. The participation of children under 10 years of age has been stopped by the school; it cannot prevent the participation of the older ones. The "Youth Club" is headed by the evangelical parish welfare nurse and meets in the rooms of the Evangelical infants' school. Without the active cooperation of the parish and the Hitler Youth we shall apparently not be able to get rid of this Youth Club.

Heil Hitler
[signed] Freitag
Ortsgruppenleiter

The comments made by the Kreisleiter run as follows:
Kreisleitung Darmstadt
Month of February 1939.
To point 9. Subject: Church questions

Increased activity on the part of the confessional priests has been reported to me from various places. I am not yet in a position to judge finally whether this zeal is the result of special directions or whether the priests are having their say on their own initiative. Going into details, I request you to take the following inclosure into consideration:

1. The report of Ortsgruppenleiter Wimmer (St. Martin's parish). (The SD, Gestapo, and the competent Ortsgruppenleiter will be instructed by me.)

2. I shall request Ortsgruppenleiter Frick, who reports from Pfungstadt, to go to the Kreisleiter tomorrow and shall get him to name his witnesses. These will be notified to you and to the

Gestapo (to the latter with a report of the case). The priest Strack is sufficiently well known and ripe for the concentration camp or the Special Court. His reported statement before fellow Germans constitutes an infringement of the Law against Malice. In any case, the chap must disappear from the territory of the Kreis or Gau.

3. The attached edifying poem was distributed in the Ortsgruppe Gervinius. It appears to me that it could only make an impression on such fellow citizens as have a bee in their bonnet anyhow.

4. The statement of Ortsgruppenleiter Freitag from Hahn is interesting. In connection with the second paragraph of this letter, I wish to inform you that the Bannfuehrer (Hitler Youth Colonel) and the head of the Hitler Girls have received instructions to get into touch with the Ortsgruppenleiter.

With reference to case 4, Ortsgruppe Hahn, the following report, dated 9 July 1939, indicates the measures taken in this matter.

Ortsgruppe Hahn
9 July 1939
Subject: Church and Youth
Reference: My 42 point report dated February 1939.
Your letter of 12.6.1939 and my reply of 18.6.1939.

The questions discussed in the above correspondence have been happily solved during this week. The head of the Elizabeth Institute has recalled the parish welfare nurse with effect from 30.6.1939 and transferred her to Erbes-Buedesheim. On Wednesday, in place of the confessional kindergarten, a NSV (National Socialist Welfare) Kindergarten was opened here. The start was a good one; out of the former pupils 3/4 turned up on the first day already; it can therefore be reckoned with that the NSV Kindergarten will soon have as many children as the former Evangelical children's school, or perhaps even more. On Friday the nursery work was again started by a National Socialist nurse. In addition the following has been achieved:

1. The Evangelical Youth Club no longer has a head mistress or a home. We will see to it that it will not be resurrected.

2. The Evangelical Women's Assistance no longer has a home. It has lost one out of two heads (the other is the wife of a Party member).

3. The pastor no longer has refuge in the house and must for better or for worse take the trouble of going to the Church for his Bible classes.

4. The Confessional Front thereby lost its most zealous pro-

tagonist who, in this connection, was far more efficient than Pastor Kempf of Eschellbruecken, who is after all responsible for Hahn.

Heil Hitler
[signed] Freitag
Ortsgruppenleiter

JPD/15.6.45.

TRANSLATION OF DOCUMENT D-901-A

Cologne, 31.1.1941.

NSDAP
Gau Cologne-Aachen
Gau Organization Department.

Copy

Circular No. O. 1/39

* * * * * * *

2. Instructions to all Kreis and Ortsgruppen organisationsleiters regarding installing and keeping card indexes of households.

Since my instruction of the 1st May 1938, Circular No. O. 51/38 is in some respects out of date, I hereby withdraw it, and it thus loses its validity. So that the keeping of card indices of households should be uniform in all Ortsgruppen, including those newly formed in 1938, the following directives should be strictly adhered to:

1. The sense and purpose of card indexing households.

The card index of households serves to contain a card index all Germans united in the same household. It must give a clear picture of every individual living in the household. The precise personal data, entries regarding joining the Party, its organizations, affiliated bodies, etc., serve as a basis for statistical inquiries and, combined with the entries on the back of the card index of households, for the political judgment of the members of a household. An all-embracing judgment going into all details, such as family circumstances, financial position, former and present, political and ideological views, as well as attitude on the occasion of the "Eintopf"* and other collections of the NSV, must enable the Ortsgruppenleiter to give at any moment a judgment of the household member concerned which is sufficient in all respects. If correctly kept, the household card index provides the most important data for the Ortsgruppenleiter and Organisationsleiter. * * *

*[Translator's note: "Eintopf"—a one dish meal which had to be laid down for every household at intervals, the difference in

the cost of this and a full meal being contributed by the household to the National Socialist Welfare Organization—the NSV.]

3. Confidential treatment of the household card index

The household card index must be kept in the Ortsgruppe office in a cupboard or chest which can be locked.

4. Entries in the Index

Only the Ortsgruppen-Organisationsleiter, or his representative, makes entries on the index cards. It is forbidden to get other persons to make entries.

5. Lists for the Blockleiters.

The Blockleiters must be in possession of lists which contain the same printed text as the household card index and which are to be provided with the necessary entries by the Blockleiters (family status, Party membership, membership of an organization, affiliated body, etc.) Nothing is to be mentioned in these lists about a political judgment. * * *

6. Reports on alterations of the organizations and affiliated bodies.

7. Reich order for reporting

According to the Reich order for reporting, see the Gaumitteilungsblatt of August 1938, page 5, reports of any changes in residence, marriages, births and deaths are "sent to the Ortsgruppen by the bureaux for the registration of inhabitants or the Registry Offices as they come in; immediately on receipt of this information it must be used to amend the household card indexes * * * "

8. Change of residence within the Gau of Cologne-Aachen

In the case of people who have moved from the zone of the Ortsgruppe, the cards of the index are to be sent immediately fully entered up to the Kreisorganisationsleiter dealing with the old place of residence * * *

9. Change of residence to another Gau area

In the case of persons who have moved to another Gau area, the household cards are to be delivered to the former Ortsgrupper in alphabetical order marked "moved" * * *.

10. Filling in the index cards

Index cards must be filled in uniformly either in typewriting or neatly in ink. Data concerning political judgment is to be entered in pencil, so that any necessary alterations (such as church connections; conduct at the "Eintopf" and other collections, etc.) can be carried out. In case of membership of the Party, an organization, an affiliated body etc., the exact date of joining, according to the membership card, is to be entered. A brief remark "Yes" is not permitted. Furthermore, the membership number and rank are to be entered under all circumstances, as well as the appropriate Sturm and Standart number in the case of members of the SA, SS, etc. The entry "Children" is to be used only for children up to the 18th year (completed 17th year).

The most precise information is to be obtained on military position and corresponding entries are to be made. It is here very important to state on the household index card whether the head of the household possesses a military identity card and when he performed his training in the new Wehrmacht. All other entries are to be made with similar care. It is thus to be recorded since when the "Voelkischer Beobachter" was subscribed to, whether the family already possessed a swastika flag before the 1935 flag law, and what wireless apparatus is available in the household, i. e. "Mende 3 valve, one resonance circuit". It is easy to obtain this data from conversation by Blockleiters with the German concerned.

12. Political judgment

In the lower part of the back of the card, *detailed* entries are to be made about the social and economic circumstances of every household member or sub-tenant, about their reputation, their former and present political reliability, etc. * * * The political judgment of every German is to be carried out by the Ortsgruppen Organisationsleiter in cooperation with the competent Block and Zellenleiter as well as in agreement with the Ortsgruppenleiter * * *.

TRANSLATION OF DOCUMENT D–902

Erfurt, 7 April 1938

To the Erfurt Branch Office of the Security Service (SD) of the
Reichsfuehrer SS.

Confidential

After thorough and most careful examination in the area of the Ortsgruppe of Melchendorf and in the closest cooperation with the Ortsgruppenleiter, we have come to the following conclusion:

The following persons will with 100 percent probability vote "No" at the forthcoming plebiscite on the 10th April 1938:

1. Wilhelm Messing, plumber, Trift 49 h, Melchendorf, and his wife.
2. Walter Messing, carpenter, Trift 49 h, Melchendorf, and his wife.
3. Fritz Kranhold, lorry driver, No. 75 k, Melchendorf, and his wife.

Explanation:

(1) Wilhelm Messing (taken into protective custody in 1933 because of illegal activity for the Communist Party and printing illegal inciting pamphlets, and later given a long term of penal servitude.)

(2) Walter Messing (also taken into protective custody in 1933 for slandering the SA).

The wives of both Messings are greatly influenced by their husbands.

(3) Fritz Kranhold (taken into protective custody in 1933 and given a long term of penal servitude for distributing illegal propaganda pamphlets). The wife has been greatly influenced by K.

The farmer and house owner Hermann Leidel, living at No. 95 Hohenwindenstr, has already twice been fined several thousand Reichsmarks for insulting the late Reich President Hindenburg and for slighting the government of the Third Reich. Imprisonment could not be awarded as L. suffers from diabetes. He only rarely replies to the Heil Hitler salute, and then only if forced to do so. According to his remarks, he is not at all satisfied with the institutions of the Third Reich. For these reasons it may be assumed almost with certainty that Leidel will either vote "No" or hand in a blank paper.

Supervision therefore seems to be called for.

Erfurt, 5.4.38. 46234

Note: His wife has the same attitude.

Report

Guenther Hartung, 113 Johanesstrasse, Wallstrasse entrance, must be reported as being an enemy of the State and opposed to the plebiscite.

Hartung must be described as a morally totally degenerate man and it is necessary to lock the same up in spite of his age (70 years).

Among other things, he referred to the German troops on their entry into Austria as loafers. Sufficient witnesses as to Hartung are available.

Erfurt, 8.4.38. Heil Hitler

[signed]

Subject: Secret Order

46228 reports the following unreliable fellows:

Kurt Roediger	2	Hospitalplatz,	Erfurt,	born 16.12.1912
Ida Hartung	38a	Kraempferstr.,	Erfurt,	born 23.11.1872
Maria Kilian	16	I Hospitalplatz,	Erfurt,	born 17.10.1862
Erich Kaul	16	I Hospitalplatz,	Erfurt,	born 16. 8.1899

(18 names follow)

46 233

Erfurt, 11.4.1938

Report in Connection with the Plebiscite of the 10 April 1938

The supervision of the voting that took place after previous discussion was technically impossible to carry out. The returning officer acting in election district No. 40 is so intimately known in this district that the voters put their envelopes with their voting slips into his hand without further ado. Any kind of secret marking of the voting envelopes was therefore hardly possible. A general passing on of the information regarding the measures that had been taken to the entire polling council could by no means take place. Nevertheless, it was possible to keep an eye on some of our fellow Germans who are not well disposed towards us. However, regarding this also, an exact statement cannot be made for reasons of justice. For example, the voting envelopes of the family of the former Master Freemason, senior post office employee Hertel, 40 Steigerstr. were marked. As, however, only one of the voters in question recorded a "No" vote, it cannot be stated whether this vote was recorded by Hertel himself or by his wife. According to the experience I have gained during my 5 years of political activity in the Steiger quarter, *the "No" vote recorded* can only be *that of Hertel himself*. As several voting slips were handed in with neither "No" nor "Yes", I consider it to be urgently necessary to have the following fellow Germans visited by an unknown agent, calling with National Socialist pamphlets and also cleverly going into the present political situation.

1. Teacher	Korsch	8	Steigerstr.	Erfurt
2. Merchant	Procopp	1	Steigerstr.	Erfurt
3. Party Member	Ernst Freise and wife	35	Steigerstr.	Erfurt
4. Merchant	Zimmass	17	Steigerstr.	Erfurt
5. Robert	Kluge	24	Steigerstr.	Erfurt
6. Family	Marpuart	25	Steigerstr.	Erfurt
7. Merchant	Fischer	4	Steigerstr.	Erfurt
8. Professor	Issel	25a	Herderstr.	Erfurt
9. Paul	Topf	23a	Steigerstr	Erfurt

In any case, it is remarkable that the *originals* of the *voting* *registers* were in a state of disgusting *disorder.* More than 6 electors were not struck off although their names had been specially passed on to the election office at 6 Predigerstrasse for striking off. Two fellow Germans, "Trefz, Steigerstr, 2 and Jenny Thaeumer, 17 Steigerstrasse, ground floor" were not entered in spite of being passed on and a personal report. In another case, the following three 100 percent Jews were entered on the election register:

1. Felix Meyer, 1 Pfoertchenstr, Erfurt
2. Wife Meyer, 1 Pfoertchenstr, Erfurt
3. Erna Schenker, nee Sachs, Milchinselstr, 20.

The wife of the 100 percent Jew Bielschowski, 8 Augustapark (nee Wolff-Malzwolff) who was dragged along just before closing time of the plebiscite, *voted "No" as can be proved.*

That "No" votes were recorded in the Steiger quarter was obvious in view of the general attitude of the people listed on sheet 1, but that, after our Fuehrer has been more than 5 years in government, 100 percent Jews are today still on the voting register is clearly due to the fact that it is not the conscientious National Socialist workers who sit in the responsible positions in the municipal administration. A change in the occupants of these positions is in the interests of National Socialism and has nothing at all to do with official positions, which is the general attitude. The time has now come for doing something here particularly and for personal appointments on filling these important offices at the statistical department and its branch offices to be looked upon only in accordance with real performances at last. At the office of registration of the population, changes might also be very necessary.

Heil Hitler

[signed] Sonne [?]

Gispersleben, 21.4.1938

SD of the Reichsfuehrer SS

Subsector Erfurt, Thuringia, Weisensee branch office

To the Erfurt branch office

Subject: Plebiscite of the 10.4.1938.

No previous reference.

On the 10th April of this year the inhabitants of Dielsdorf went to the plebiscite and only the farmer Georg Hoenig, 39 Herrenstr, Dielsdorf, did not. He was asked to come to the plebiscite but he remarked: "If I had wanted to vote I should have been there long ago."

On Good Friday, the 15th of this month, the anger and ill-humor of the inhabitants of Dielsdorf showed itself in the form of two placards on every lamp post.

The original of one follows; a copy of the other is inclosed.

Hoenig was a member of the Party until 1934.

2 inclosures.

[signed] WEINGART

(A poem is inclosed referring to his graft, corruption, profiteering from the State, and now turning against the State as its enemy.)

Witterda, 12.4.38

Subject: Unfavorable remark by a farmer in Witterda.

On the 6.4.38 propaganda material was distributed here by Party members. At one farm the dealer in textile fabrics Hirschfeld, from Bleicherode, happened to be there on business. The farmer took the propaganda material and said to the dealer: "I'll put this straight where it belongs," and took it to the lavatory. The dealer has told of this but not named the farmer, as it concerns a good customer of his.

In view of the recorded "No" votes—I assume that it is the farmer who recorded the "No" vote—I request the SD to take the matter in hand immediately, and to see to it that the dealer Hirschfeld is interrogated and forced to name the farmer.

To the Gispersleben branch office. [signed] MASSINO [?]

Gebesee, 22nd April 1938

SD of the Reichsfuehrer SS

Subsector Erfurt, Thuringia, Weissensee branch office

The married woman Lydia Gresser, nee Kraft, living at 28 Horst Wessel Strasse, Gebesee, states:

I have been buying petrol for our car from the motor car workshop of Bender & Weissenhorn, 31 Erfurtstrasse, Gebesee.

On Easter Monday I paid for the petrol that had been supplied during the preceding week. Weissenhorn expressed his surprise at the small quantity. I told him that it would get less still, we would now have to buy petrol somewhere else as well. When he continued to ask me why it was that he should no longer supply all the petrol, I said to him that I, and my husband also, had had our attention drawn by various persons to the fact that we should no longer buy anything from him, as he had voted "No" at the plebiscite. Here in Gebesee it is common knowledge that Weissenhorn is said to have voted "No."

* * * * * * *

I can swear in court to the statement made by me.

Read, approved and signed

Lydia Gresser

Completed

Hausmann

Gispersleben, 25.4.1938

SD of the Reichsfuehrer SS
Subsector Erfurt, Thuringia, Weissensee branch office
To the Erfurt branch office

Subject: "No" voters in Weissensee. Plebiscite on the 10.4.38.
Reference: See previous report

Inclosed you will find the personalia cards of the 7 "No" voters. They were detected as follows:

Before the elections, Party member Paul Fritsche of Jakobstr, Weissensee, Thuringia, compiled a list of all persons suspected of being likely to vote "No." *On the day of the election everyone listed was handed by a specially selected election official a voting slip that had been marked by embossing a number with a ribbonless typewriter.* The number of this voting slip was entered by the election official after the voter's name on the above mentioned list. When the voting had finished, the voting slips were gone through and all slips with embossed numbers were sorted out. By comparison with the list, the attitude of the person under surveillance could then be checked precisely.

The names of the "No" voters were reported to the competent collaborator by the above mentioned Party member Fritsch.

[signed] Weingart

Gispersleben, 25.4.1938

SD of the Reichsfuehrer SS
Subsector Erfurt, Thuringia, Weissensee Branch Office
To the Erfurt Branch Office

Subject: Reichstag election and plebiscite on the 10.4.1938.
No previous reference

The factory worker Kirschner of Vippachedelhausen was dismissed by the Rheinmetall-Borsig Company in Soemmerda on the 20th of this month at the instigation of the Weimar sub-prefect, because, at the above mentioned Reichstag elections, he was the only inhabitant of the village of Vippachedelhausen to vote "No."

[signed] Weingart

Gispersleben, 28.4.38

SD of the Reichsfuehrer SS
Subsector Erfurt, Thuringia, Weissensee branch office
To the Erfurt Branch Office
Subject: Election and plebiscite on the 10.4.38
No previous reference

Inclosed you will receive some statements from Soemmerda for your information and further utilization.

Subject: Plebiscite on the 10 April 1938. No previous reference.

The laborer Otto Wiegand of 17 Erfurter Strasse, Soemmerda, had to be requested four times to record his vote on the day of the election and finally only voted under force. The above was a member of the former international association of Jehovah's Witnesses. His personalia are as follows:

Name	Wiegand, Otto
Home:	Soemmerda
Address:	17, Erfurterstrasse
Occupation:	Laborer
Date of birth:	7 October 1900
Place of birth:	Soemmerda
Religion:	Dissident (left the church on 6.2.1937)
Status:	Married (to Ida nee Raenke, born 22 Aug. 1904 in Soemmerda)
Number of children:	Two

Moved to Soemmerda on the 22nd November 1922 from Kulitz.

Subject: Plebiscite on the 10.4.38. No previous reference.

The married woman Frieda Schreiner, nee Troester, of Soemmerda (Salzmannstrasse 5) did not vote in spite of repeatedly being invited to do so. The above is a fanatic member of the former international association of Jehovah's Witnesses.

The husband, who has the same opinions and who was recently involved in criminal proceedings because of them, recorded his vote. To be sure this was probably exclusively for fear of renewed arrest.

The wife's personalia are as follows:

Name:	Schreiner nee Troester, Frieda
Home:	Soemmerda
Address:	5 Salzmannstrasse
Date of birth:	2nd March 1897
Place of birth:	Oldisleben
Religion:	Christian free
Status:	Married (to the master bricklayer, Paul Schreiner, born 21 Sept 1895 in Leubingen)
Children:	Two

Moved to Soemmerda on the 5th June 1930 from Leubingen, district of Eckartsberga)

Extract from the "Thuringer Allgemeine Zeitung" 11 April 1938
Erfurt

The avowal before the world:
The united German Yes: 99.08%!
99.75% in Austria! The Fuehrer's thanks: "It is the proudest hour of my life." Gauleiter Sauckel: "Never before has any people thus demonstrated its unity."

* * * * * * *

99.29% Yes in Erfurt

List of voters	102,428
Voting cards	5,252
Total of people entitled to vote	107,678
Votes recorded	107,593
Yes votes	106,713
No votes	756
Void votes	120

TRANSLATION OF DOCUMENT D-903

Examination of Witnesses
Provincial Court for Criminal of Vienna VIII
Landesgerichtstrasse
II.

On the 7th of June 1946
Judge present: [illegible]
Court Reporter [illegible].

Criminal Proceedings

The witness is warned to speak the pure truth to the best of his knowledge and conscience in answer to the question put to him, to hide nothing and to give his testimony in such a way that he can, if necessary, confirm it on oath.

He states regarding his personal data:

1. Christian and Surname: Dr. Jakob Weisbacher.
2. Age: 45 years born 20.12.1901.
3. Place of birth: Vienna.
4. Religion: Roman Catholic.
5. Married or single.
6. Occupation: Cathedral chapter, Archbishop's secretary.
7. Address: 2 Rotenturmstrasse, Vienna I.
8. Relation to the accused or to other persons concerned in this examination.

On the 8th of October 1938 a serious attack by young demonstrators took place on the Archbishop's Palace in Vienna. I was present during it and can therefore describe it from my own experience. At about 20.15 hours I was sitting with my colleague Zeremoniar Dr. Franz Jaclyn in my room which has windows overlooking the courtyard. Suddenly we heard through the windows excited cries and slogans shouted in unison coming down from the Stefansplatz, and in the very next moment already the smashing of window panes. Immediately afterwards his Eminence rang me on the telephone: A crowd of young people are assembled in the Stefansplatz, they are breaking our window panes. Call the police! I used the police emergency call A-i-22 and received the answer we are coming. I then went to his Eminence's room. On my way across the courtyard I heard shouting simultaneously, I heard heavy blows on the Stefansplatz. I found the Cardinal in his study together with the nuns who were employed in the household. The blows on the gate which were being made with a ladder and iron bars resounded heavily. I made another emergency call from his Eminence's room and received the answer: The commissariat have been informed. The answer could not satisfy me, as on an emergency call being received the special police force turned out immediately. I telephoned once again and said: The gate is being stormed, we do not know how long it will withstand. Once again the same reply. I listened out of the window and heard shouts of heave ho, then smashing and splintering cries of triumph; they had got in. After approximately a quarter of an hour the gate gave way. The demonstrators stormed into the courtyard shouting and smashing everything they came across. We conducted the nuns to the attic and instructed them to hide there. We took the Cardinal to safety in the personalia archive and locked the iron door behind him, then we two priests who saw ourselves opposed to a crowd of invaders took up post at the door of the Cardinal's house chapel, in order to prevent any destruction there at least. Shortly after we had reached the chapel, the first invaders stormed into the Cardinal's rooms which the chapel adjoins. Right at the door we warded them off; pieces of wood were flung into the chapel. I received a push that caused me to fall but we managed to prevent any entry into the chapel. The demonstrators were youths aged from 14-25 about a 100 of them. After we had warded off the first troop we opened up the tabernacle and * * * the consecrated wafers so as to protect the most holy from being desecrated. But new invaders stormed up already, whom we warded off. In the meantime in the remaining rooms an orgy of destruction that cannot be described took place against all the fittings. With the brass rods that held the carpet in place on the staircase the youths destroyed tables and chairs, candelabras and valuable paintings, particularly all crucifixes. The chapel's slate glass doors, the large decorative mirrors, the glass panes of the book case—everything was smashed to pieces.

While we were still engaged in hand to hand fighting, my colleague thought he heard the shout: Cardinal discovered. He attempted to battle through, but did not get through the rooms; he received a blow on the head with a bronze candlestick and could only with difficulty escape to a room where he again used the emergency call. I was dragged from the chapel by about 6 people and dragged across the ante-room to the window which overlooks the Rotenturmstrasse. "We'll throw the dog out of the window!" However, applying my utmost strength I was able to prevent myself being thrown out. I managed to free myself and rushed back to the chapel where I ejected one youth who was just getting ready to busy himself around the altar. Then suddenly the shout went up "Back, the police are coming." The invaders rushed away. One policeman arrived, then another, but the demonstrators were able to leave the Palace unhindered. From the time of the first emergency call to the arrival of the police, at least 40 minutes had gone by.

We then fetched his Eminence out of his hiding place and brought him to his destroyed quarters which presented a picture of dreadful devastation. Then there came a police Lt. Colonel and apologized; then there appeared a representative of the Gestapo and expressed his regret, stating, however, that the police had not had much desire to intervene.

In the meantime, other demonstrators had attacked the cathedral rector's house in 3, Stefansplatz, and there threw the cathedral curate Krawatik out of the window into the yard; this priest lay in hospital till February with a fracture of both thighs. From there too the police and other officials had been repeatedly telephoned but with no success.

At 11.30 the destroyed quarters were sealed by the State Police. On the following morning—it was Sunday—all the residents had to remain indoors until the police examination was over. The cardinal protested against this kind of treatment, and it was then permitted to go to the Cathedral for Holy Mass. A written undertaking was demanded from all the other residents that they would not say anything about the events. During the course of the forenoon his Eminence then betook himself to a meeting of the Cathedral chapter, where means were discussed of informing the Holy Father as soon as possible of the events. During the course of the day all the people in the house were interrogated by the police. In the afternoon the Cardinal visited the Nuncio who happened to have come to Vienna. Following this, the Nuncio paid a visit to the Palace but was not admitted into the destroyed quarters in spite of his diplomatic passport, with the explanation that the damage was such that a commission must come from Berlin. Actually however, the quarters were thrown open in the evening already. The Gestapo had in the meantime put things roughly in order so as to eliminate the worst signs.

On the 9th of October the Cardinal sent a message to the Fuehrer's chancellery through the Nuncio, but no reply to it was ever received. Neither did the State or Urban authorities ever give compensation in any way. The damage amounted to about 20,000 marks. Over 1,000 window panes were broken on all sides of the house and inside it. The Cardinal's wardrobe was plundered, a valuable cross and two rings were stolen. Although Gauleiter Globocnik stated in a speech on the 12th October that he had had the Cardinal's windows replaced at his own expense, this does not correspond to the facts.

That the demonstration was not the result of youthful wantonness or the embitterment, but a well thought-out plan known to official quarters is obvious from the speech of Gauleiter Buerckel who, on the 13th October in the Heldenplatz, represented the Cardinal as the guilty one in the nearest possible manner.

I enclose the copy of the record of an examination taken down on the 10th October 1938 with his Eminence.

Vienna, 7th June 1946.

[Signed] Dr. J. Weinbacher.

[counter signed by the Judge and court reporter]

Record

Taken down on October 10th 1938 at 18.00 hours in the building of the Archbishop's palace in Vienna with his Eminence the Cardinal-Archbishop of Vienna, Dr. Theodor Innitzer who, on being informed of the subject of the examination states:

At about 20.10 hours on Saturday the 8th October, I heard about a mass of people who had gathered in front of the Archbishop's Palace in the Stefansplatz. I confirmed this fact for myself and heard how the crowd assembled in front of the Archbishop's Palace were singing the Deutschland and Horst Wessel songs and uttering threats against my person. I thereupon went away from the window and immediately gave orders that the Emergency Detachment of the regular police (Ai22) should be phoned, and this actually took place. In the meantime, or shortly afterwards stones and other articles were thrown at my windows, breaking window panes. In addition, people from the crowd assembled before the Palace attempted to force the Palace gates, which they succeeded in doing after about a quarter of an hour. The crowd, which consisted mainly of youths between 15 and 20 years of age, then stormed into the house through the courtyard towards the main steps, whereupon I vacated my official rooms. I then heard how the persons who had penetrated into my official rooms smashed the windows; I heard clashing and rumbling as well as whistles and cat-calls. In my opinion, the persons who had forced their way into my official rooms, remained there for at least 20 minutes. Suddenly I heard a whistle, and then all was quiet. I then returned to my official rooms with police officials who had arrived in the meantime and had been looking for me together with my secretary, and found the rooms in a dreadful state of destruction. I was able to ascertain immediately that the following articles were missing from my property:

1 One Prelate's gown
2 Two morning coats
3 Two great coats
4 One ulster
5 One pair of red buckled shoes
6 One bishop's hat
7 One stiff hat
8 Three red Birettas
9 Three red skull-caps
10 One violet stole
11 One Pectoral with gold chain
12 Two bishop's rings, one of them being one presented by His Holiness to the Cardinal upon his promotion; the Pope's coat of arms was on this one.
13 One gold fountain pen
14 Two horse-shoe purses with total contents of about 10 marks

15 A few boxes of cigars and cigarettes
16 One key ring with four keys

For the rest, the damage and devastation which has been established by the police commission was caused to my rooms. Particularly the damage to religious paintings and crosses, and here I point out specially that the ivory crosses, which are besides of great artistic value, were almost all smashed. In addition a chalice consecrated by me on the 8th October 1938 which had been packed up was torn out of its packing, damaged and thrown into the courtyard.

I wish further to add to my statements that a new green table cover valued at 260 marks has also vanished from the Council Chamber.

I am unable at the moment to give the amount of the damage caused by the mob which broke into the Archbishop's palace.

As at the time of the mob's incursion into my palace I was not in my official rooms, I did not notice any particular person and in case of a confrontation would not be able to recognize anyone either.

Perused, sealed and completed.

TRANSLATION OF DOCUMENT D–906

1. Gaustabsamtleiter (Franconia) Sellmer handwritten note. 1.10.40.

Justice: Visit from party member Blankenberg, Berlin. Action begins in the near future. So far hardly any mishaps have occurred. 30,000 dispatched. Further 100,000–120,000 are waiting. The circle of those who are initiated is to be kept very small. If necessary the Kreisleiter is to be notified in good time. Initiate Dr. [? HUMMEL], when possible supply a statement from the Gau.

(1) Institutions. (2) Doctors' attitude. (3) Where is the institution situated? (4) Who is the Kreisleiter?

The Fuehrer gave the order. The decree is ready. At present only clear cases, that is 100% ones, are being settled. Later an expansion will take place. From now on notification will be given in a [?cleverer] form. Informed are:

1.10.40 (sgd) SELLMER.

Party member Dr. [?Hummel] is informed while on leave. 2.10.40. S. the supplies [illegible word] material regarding all institutions in the Gau. Kreisleiter—Sellmer—* * [name] * * [name] * * [lord Mayor] must be informed.

2. Martin BORMANN 24.9.1940.

National Socialist German Workers Party. (NSDAP) at present in Berlin, 24.9.40. Bo-An.
The Fuehrer's deputy Chief of Staff

Personal

To the Gauleitung Franconia for the attention of Kreisleiter Zimmermann
Nurnberg
Gauleitung of the NSDAP.

Copy to [? Ben]

Your letter of the 13.9.1940 was given to me by Party member Hoffmann. The Commission which was working at Neuendettelsaus is under the control of Reichsleiter Bouhler or is acting on his orders.

The text of the notifications of relatives is being variously worded, as I was once more assured yesterday; it can, however, naturally happen sometimes that two families living close to each other receive similarly worded letters.

It is natural that the representatives of Christian ideology speak against the Commission's measures; it must be equally natural that all Party Offices should, as far as necessary, support the work of the Commission.

Heil Hitler!
[Sgd.] M. Bormann.

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3. Situation Report by the Kreisleitung of Erlangen 26.11.40.

* * * * * * *

(2) Elimination of mental patients: On orders from the Ministry of the Interior, signed Schulz or Schultze, a commission consisting, among others, of a North German doctor and a number of students appeared some time ago at the local sanatorium and nursing home. It examined the documents of the patients lodged in the institution. Some time later the director of the institution was informed that a certain number of patients were to be transferred to another institution on orders from the Reich Defence Commissar, that a Berlin Transport Company was to carry out the transfer and the head of the institution was to follow the directives of this company, which was in possession of the list of names. In this way 3 transports with a total number of 370 patients were in the meantime transferred to Sonnenstein near Pirna in Sa. and to the Linz district. A further transport is to leave in January of next year. The head of the institution did not at first know at all where the transports went and at present too he does not know officially. He received no informa-

tion on the subject from anybody. He merely had instructions to reply to the patients' relatives' enquiries that the new Institution would get in touch with them and inform them of their admission. Strangely enough various relatives received notification after the transportation that their patients had died. In some cases pneumonia and in others an infectious disease were given as the cause of death. At the same time the relatives were further informed that it had been necessary to cremate the body and that, if they were interested, they could have the clothing of the deceased sent to them. The registry office of Erlangen was also informed by the institution of the various cases of death, and again either pneumonia or an infectious disease was given as the cause of death—illnesses which had no connection with the previous medical history, so that it is to be assumed that it is here a case of false statements. The population is terribly disturbed about the transfer of patients, because they connect it with the cases of death which are becoming known in rapid succession. They are speaking, partly openly, partly secretly, about an elimination of patients for which there is no legal foundation. In these war times such unrest among the population has a doubly unfavorable effect. Moreover, the events described above give the church and religious circles cause to revive their attitude against National Socialism.

[Handwritten addition]: original extract from the situation report of the Kreisleitung of Erlangen of the 26.11.40. A copy was not made * * *

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4. Situation Report of the Kreisleitung of Ansbach, December 1940:

Sanatorium and Nursing Home: The removal of patients of sanatoria and nursing homes to other districts could not naturally remain hidden from the public. It also appears that the commissions which were established work in too great haste, are not always lucky, and that many mistakes occurred. Nor can one prevent individual cases becoming known and spoken about. The following cases should naturally not have occurred.

(1) Through an oversight one family received two urns.

(2) One notification of death indicated appendicitis as the cause of death. But the appendix had already been removed ten years previously.

(3) Another cause of death quoted was a disease of the spinal cord. Relatives of the family had visited the patient physically perfectly healthy only eight days before.

One family received a notification of death, although the woman still lives in the institution to-day and enjoys perfect bodily health.

Some time ago, an obituary notice was inserted in the local Frankische Zeitung by the relatives: "* * * has been taken away from us by a tragic fate".

With these highly delicate measures, it is difficult to make suggestions as to how to counter a further spreading of the facts or rumors arising from them or invented rumors. At least it would be necessary for the Kreisleiters to receive confidential information about the measures themselves.

In addition, the competent Kreisleiter should also be advised at the same time as the relatives are notified, in order that he can observe the effects on the relatives and watch their behavior and, if necessary, intervene in a suitable manner.

Heil Hitler

[signature illegible]

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5. Kreisleiter Walz, Fraenkische Alb, 30.12.40.

Lauf (Pegnitz) 30.12.40.

To the Gaustabsamtsleiter. Party member, Sellmer Nurnberg.

Further to my last report on morale, I report the following:

Dr. Loeffler of Hersbruck, the district doctor, informs me that in Schupf near Kainsbach (formerly district of Hersbruck), a young peasant named Koch was sent to an institution for sterilization, on account of epilepsy.

He wrote to his mother a few weeks ago that all was well with him and that she should send him some tobacco for him to smoke. The mother replied that he should come back soon as his work in the farmyard was very much missed. It is to be noted that the young Koch was a very great help to his mother, the farmer's widow Koch, as he carried out all the agricultural work practically by himself.

The widow was informed one week later that her son had died suddenly and that she should collect the urn with his ashes.

As the young Koch was also well known in the surrounding district too on account of his diligence, this case of "violent death" has naturally caused great indignation.

When I proposed to district Doctor Loeffler that he should send a master masar from Osternohe to the institution at Ansbach for a few weeks in order to observe his mental state, he declared that he could not be responsible for this, as he did not know whether this person would come back alive. The doctor also informed me that it was well known that the Commission consisted of one SS Doctor and several subordinate doctors and that the "patients" were not even examined and that they only pronounced their verdict in accordance with the medical history noted down. As far as he knew, families were refusing to send their sick to institutions, as they did not know whether they would get them back alive.

The district doctor in Nurnberg had informed him that in the city of Nurnberg 2 accusations of murder had been instituted by the relatives of such sick persons.

The Party has up to now received neither complaints nor accusations of this sort.

Heil Hitler

[signed] E. Walz. Kreisleiter.

[on original sheet]
Note. After the penultimate paragraph there are the following handwritten remarks: "the District Doctor" is underlined, "investigate. (and a name)" * * * There is no case of this. The Authorities are instructed how they have to behave.
S. 7.1.41.
Incident at the Ottilienheim

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5 March 1941.

6. Gaustabsamtsleiter Sellmer. 5.3.1941.
Gaustabsamt.
Sel/Pf.
To the Kreisleiter Party member Michael Gerstner Weissenburg in Bavaria.

Ref: your letter of 24 February 1941 unrest of the population of Absberg.

The Reichsoffice Berlin informs me that the removal of the patients from the Ottilienheim was not carried out by Berlin but by Munich. I have therefore now communicated with Munich on this matter. In the meantime I have heard from the District President that he has also raised an objection to the way in which the patients were treated. I hope therefore that such gross mistakes will not occur in future.

Heil Hitler

[signed] S.
[Sellmer]
Gaustabsamtsleiter.

N.B. The competent person for Bavaria is Regierungsrat Gaum, at the Bavarian Ministry of State, Munich. We should as far as possible get in touch with him. Regierungsrat Gaum will issue instructions for the institutions to be evacuated as soon as possible.

File note:

Subject: Ottilienheim, Absberg.

Dr. Hefelmann, Berlin, informed me by telephone to-day that the removal of the patients from Ottilienheim did not take place on orders from Berlin but on orders from Regierungsrat Gaum of the Bavarian Ministry of State.

Furthermore, he told me that the NSDAP functionary could not be brought in, as the regulation does not provide for this.

Nurnberg. 5.3.1941. (signed) Sellmer.

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7. Gaustabsamtsleiter Sellmer to SD. Nurnberg 1.3.1941.

Copy for information to the Fuehrer's Chancellery, Party member Dr. Hefelmann, Berlin.

Secret

1 March 1941.

Gaustabsamt
Sel/Pf.
To the Security Service
SS—Sturmbannfuehrer Friedrich.
Nurnberg.

Subject: Unrest of the population of Absberg owing to the conspicuous evacuation of the inmates of the Ottilienheim.

As I have already informed you by telephone, the evacuation of further inmates of the Ottilienheim has caused much unpleasantness. I enclose herewith for your information the comprehensive report of the Kreisleiter, party member Gertsner, and will in due course inform you of the further inquiries that take place.

"I have just received a telephone message from the Ortsgruppenleiter of the NSDAP in Absberg. Party member Kirchhof—who is employed as a foreman in the Muna Langlan and also lives there—about an incident which has disturbed the population in Absberg to an exceptional degree. In Absberg, which is part of the area of the former Kreisleitung of Gunzenhausen, the Abbey of Ottilienheim is situated in the middle of the market place. In this Ottilienheim were housed some hundreds of mentally defective persons who, as far as they were fit for any work, were employed on the farm of the Ottilienheim. These mentally defective persons were originally sent there by the various Country Welfare Organizations. Already last year 25 inmates were removed in the course of the well known scheme; of these 24 died, while one inmate was again brought back to the Ottilienheim. It was allegedly then a case of inmates for whom the Country Welfare Organization of Swabia had to provide.

Last Friday the inmates of the Ottilienheim for whose cost the Country Welfare Organization of Upper Franconia and Middle Franconia had taken over the responsibility were taken away in two large cars. The removal was carried out by the personnel of the Sanatorium and Nursing Home of Erlangen under the direction of a professor from this Institution. These people were taken away in the most conspicuous manner imaginable. Instead of the buses entering the courtyard to pick up the inmates who were to be removed, the vehicles were stationed outside the Ottilienheim in the middle of the market place. The inmates of the Ottilienheim who were to be removed and were accordingly excited had to be taken to the vehicles singly and by force. The whole population of Absberg, which is strongly Catholic, had congregated and watched the incident crying loudly. That certain circles made suitable psychological use of this incident cannot be regarded as surprising. Party Member Kirchhof reported that there were even party members among these weeping onlookers and that, in the general excitement of the people, certain remarks were passed which must be regarded as irresponsible. It goes without saying that the pastor of the Ottilienheim himself helped to create the appropriate atmosphere by having the people who were to be removed brought to the Abbey church for confession and communion in the morning, and having them practically carried to the altar with the help of the nuns.

I shall now make detailed inquiries about the incident through the sub-prefect. I consider it necessary, however, to advise the authorities responsible to use somewhat more tact in the removal of these persons who are to be eliminated as a Reich Defense measure, as it is not necessary to create unnecessary difficulties and play into the hands of our opponents. As soon as I receive the report, I shall pass it on to the Gaustabsamt (Gau Staff Office).

Heil Hitler!

[signed] S.
[Sellmer]
Gaustabsamtsleiter [Chief of the Gau Staff Office]

8. Ortsgruppenleiter Kirchhof, Absberg. 25.2.1941.

Kreisleitung Weissenburg in Bavaria
Ortsgruppe Absberg

Secret

Langlan, the 25th February 1941.

Subject: Incidents on the occasion of the latest removal of mentally defective persons from the Ottilienheim in Absberg.

Reference: Telephone conversation Party member Gerstner and Party member Kirchhof on 24.2.41.

Enclosure: 1 report.

To the Kreisleitung of the NSDAP, Weissenburg.

With reference to the telephone conversation mentioned above, the desired report about the recent incidents in Absberg a few days ago is enclosed herewith for your cognizance.

We would request you not to pass on the original of this report to the Gendarmerie Officer Pfister in Absberg for possible examination of the participating spectators, as the Ortsgruppe fears that Pfister—as he is judged and regarded as strongly Catholic by us—may not take effective steps against his own fellow believers in this matter.

The local Ortsgruppe itself, however, is of the opinion that the Ottilienheim will serve a much more useful purpose if it is cleared of its present inmates and placed at the disposal of the State as a military hospital or some other institution of military use.

Heil Hitler!
[signed] Kirchhof
Ortsgruppenleiter.

Confidential.

Report.

Owing to the course of last Friday, 21.2.1941, a bus from Erlangen took 57 inmates of the Ottilienheim, Absberg, away in two parties, allegedly for an examination at the clinic at Erlangen. In the bus itself there were a doctor and three nurses who loaded these people on to the bus and supervised each transport.

A great number of spectators congregated each time these people were put on the bus, as it is reported that the loading did not take place in the courtyard but in front of the gate. The wildest scenes imaginable are reported to have taken place then, as some of these people did not board the bus voluntarily and were therefore forced to by the accompanying personnel.

These were people who were mad or mentally defective and were said to have other epileptic illnesses as well—and whose upkeep the state and other Public Bodies have so far had to provide for either completely, or at least for the greater part.

I was able to learn in this connection that the Country Organization of Swabia fetched eight such persons back last autumn, and that seven of these were said to have died very shortly afterwards of influenza and low blood pressure which set in. Only one person returned to the Ottilienheim in Absberg.

This matter gradually became known to Absberg, and as a result a great crowd gathered also on the occasion of the last action, who, I have heard, allowed themselves to pass remarks against the National Socialist State. I was unfortunately unable to find out the names of the spectators concerned, as all spectators who had taken part showed great reticence towards me about this matter during my investigation.

These incidents during this action—which is after all necessary—are to be condemned all the more because even Party members themselves did not shrink from joining in the lamentations of the other weeping spectators. The fact that a certain group of spectators concerned gave expression to their former convictions and did not refrain from minimizing and criticizing the great necessity of the measures taken and introduced in the course of Reich defense was only to be expected from these people.

It is said that a section of these people even went so far as to formulate and disseminate more or less the following assertion: "The State must be in a bad way now, or it could not happen that these poor people should simply be sent to their death solely in order that the means which until now have been used for the upkeep of these people may be made available for the prosecution of the War". This view originates predominently from the Catholic population of Absberg.

It is even said that these poor victims—as they are regarded by the clergy and the religious inhabitants of Absberg—were taken to the Catholic church for confession and communion shortly before their departure. It seems absolutely ridiculous to want to take away by an oral confession the possible sins of people, some of whom completely lack all mental powers.

Although of the 57 people that were fetched away there were some that had been employed by the Ottilienheim in the kitchen and in agriculture and, as it happens, could only carry out these tasks under supervision, the measures taken can, for that reason too, not be understood by the population. As this measure is gradually becoming known now, yesterday already 7 such people were fetched back by relatives into their households, so that they allegedly could no longer be included in the action. Added to this comes the fact that about 14 days ago strangers thoroughly inspected the Ottilienheim and made notes as to the size of the rooms, etc. Because of all of these reasons the population of Absberg now fears that the Ottilienheim may possibly be vacated and made available for other purposes.

Langlan, 24th February 1941

[signed] Kirchhof.

Absberg, 24.2.41.

9. Chief Gendarme Pfister, 24.2.41.
Gendarmerie post Absberg,
Rural district of Gunzenhausen,
county of upper and central Franconia.
To the Gunzenhausen Sub-Prefect.

Subject: Removal of asylum inmates.

Further to your telephonic orders on the 24th inst. I beg to report the following:

On the 21st inst. at about 10 hours a large bus drove through Absberg into the Ottilienheim. The bus did not drive into the courtyard of the asylum through the open gateway but through the gateway which is provided with gates. The gates were immediately closed again. About an hour later the bus left the asylum full and drove off in the direction of Geiselsberg. As during the whole year such a large bus never comes to Absberg, it was conspicuous to the population, and they presumed that inmates of the asylum were being removed. During the bus's first departure there was no one in front of the asylum. At about 1500 hours the bus came once again, drove into the asylum courtyard through the same gates, which were again closed immediately, and left again after about one hour full of asylum inmates.

As at the time of the bus's arrival the school had just closed, about 20 to 25 schoolchildren and 4 or 5 adults stood in front of the Ottilienheim and waited until the bus had departed. Some of the women standing there, who felt sorry for the women and girls, wept.

During the departure through Absberg many people stood before their houses and waved to the girls and women. But that it go as far as riotous scenes or insults is not the case. It is, however, not impossible that one person or another was not in agreement with the removal of the asylum inmates. But remarks about this were not made.

The population of Absberg, of both religions, are good Christians, and individuals may have found fault, among themselves, with the removal of the girls and women, but otherwise they obey all official orders and do not allow themselves to be carried away to excesses.

I had not previously informed you of the removal of the asylum inmates as I was of the opinion that this was known to you and because there were no incidents. If I had in the least noticed such, or if unpleasant remarks had been made, I should not have omitted making a report to you.

As I have ascertained, all the asylum inmates attended communion on Friday the 21st inst. but not only those that have left but all of them. As the mother superior, Willibald Guggenberg, is a sick person and she found it too difficult to inform the people concerned that they would be leaving that day, she asked the local priest, Joseph Zottmann, to tell them.

Shortly before the arrival of the bus, the mother superior had the people concerned called into a hall, where Zottmann then told them. The mother superior had known for some time that in the near future so and so many asylum inmates would be fetched, but she told neither the priest nor her fellow sisters about it. She had also been forbidden to inform the relatives about the removal.

Neither I nor the local population knew that people from the asylum were to be removed.

[signed] Pfister, G.M.

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10. Kreisleiter Gerstner, 6.3.1941.

6th March 1941.

Kreisleitung Weissenburg, Bavaria
The Kreisleiter
Ge/Kr.
To the NSDAP Gauleitung Franconia, Gau Staff Office, Nurnberg.

Subject: Disturbing the population of Absberg by conspicuous removal of inmates of the Ottilienheim.

Further to my report of the 24.2.41 which I made on the strength of a previous telephone report from the Ortsgruppenleiter, party member Kirchhof, I submit the requested written report of the Ortsgruppenleiter (N.B. No.8) and also the requested report of the competent Gendarmerie post (N.B. No.9). The report of Ortsgruppenleiter party member Kirchhof is of no importance, inasmuch as it does not include any real facts but merely relates the events as told by third persons.

The fact is that the bus in which the inmates of the asylum were removed was parked not in the market square but in the courtyard of the Ottilienheim. It was perhaps psychologically wrong to make two bus trips on one day.

It is correct that all asylum inmates attended communion on the previous day. If a causal connection between this action and the removal of a section of the inmates of the asylum is denied, then such a description does not do justice to the facts. With regard to the events, I held a meeting of members in Absberg on Saturday the 1st of March, and during the course of my statements also inquired into the happenings. Here also I could not ascertain that any party members wept or misbehaved in any other way during the removal of asylum inmates. In any case, it was shown that much ado has been made about nothing here.

In this connection it might be worth remarking that repeatedly the endeavor can be noted to take asylum inmates who must be regarded as individual payers home now. Now and again it is attempted to explain this intention with the fact that the labor of the person concerned is required. This is of course only an excuse. It is desired to prevent a development being carried through that every sensible person can but welcome.

Heil Hitler.
[signed] Gerstner
Kreisleiter.

2 enclosures.

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11. Kreisleitung Ansbach. 6.3.1941. Kreisleiter.

Ansbach, 6 March 1941.

To the NSDAP Gauleitung Franconia Gau Staff office, Nurnberg.

re: Removal of inmates of the Bruckberg institution.

The Ortsgruppenleiter of the Bruckberg Ortsgruppe, Party member Reuschel, gives the following report:

"The news of the removal of some of the inmates of the Bruckberg Institution has caused the greatest unrest among the population of Bruckberg, which was further increased by the fact which I heard for the first time to-day, that some of the inmates to be removed came into nearly every house to say good-bye. (Those concerned were those who, in the opinion of the inhabitants "are still sane"). One might almost believe that it is a question here of a "farewell carried out on orders", but I am informed from reliable sources that the inmates felt of their accord that it was their duty to say goodbye, and that probably one copied the other. Apart from the fact that one recognizes clearly in this case how far the simple German is receptive to the solution of this question of hereditary disease, I was asked my own opinion for weeks before from all sides and what attitude the Party takes up in this matter."

Ortsgruppenleiter Reuschel is furthermore of the opinion that he should speak about the removal of the inmates, if possible at the next meeting of members, in order to give the facts and above all to squash the rumors that have arisen that the inmates would very soon be put out of the way, done away with or poisoned.

I, however, am of the opinion that it continues to be better not to talk about this matter at all and I would ask you to notify me accordingly if you hold different views.

As I judge the situation, a certain amount of unrest will naturally continue to arise which will be specially fostered by the Churches. The more reserve the Party shows towards such attacks, the sooner will calm be restored here too.

Heil Hitler
[signature illegible]
The Kreisleiter

[Handwritten note in Sellmer's writing]
Party member-Wolf was informed by telephone on 7.3. Nothing is to be announced officially. The Org.Rt. [i.e. Organizationsleiter] is to be informed.
[S. 7. III.]

(The case of Marie Kehr and her sisters)

Nurnberg, 27.11.40.
Schweppermannstr.44.

12. To the Provincial Mental Home.
Sonnenstein/near Pirna/Elbe.

Marie Kehr. [Stamped]: Kreisleiter advised

I have received your letter of 22.11.40 and have taken cognizance of the death of my sister Christine Ortmann. My brother-in-law, Herr Hans Lindemann, whose wife, Ottilie Lindemann, nee Ortmann—who has also died there—is also a sister of mine, will communicate with you about the dispatch of the urn with the mortal remains.

I request that the personal affairs of the deceased be placed at the disposal of the NSV [National Socialist Welfare Organization].

The unexpected deaths of both my sisters within a period of two days appear most improbable to me. Their illnesses were fundamentally different, the difference in their ages amounted to nine years.

You must realize that one is bound to draw certain conclusions if one receives news of the death of both one's sisters on the very same day, and nobody in the world can persuade me that that is just a coincidence. I should regain my peace of mind only if I knew for certain that a law of the Reich makes it possible to release people from their incurable maladies. This is obviously a blessing both to the sick persons themselves and to their relatives, and a great relief for our Reich and people.

I should be very grateful to you for the transmission of this order which gives the authority for the release of these sick people.

I myself and my family stand solidly behind the 3rd Reich and would certainly not oppose this decree, as I have had to watch the misery for a great many years myself, and on innumerable occasions my sole wish was that both my sisters might soon be released from their great suffering. I cannot believe, however, that this secret wish of mine should have come true within a period of two days * * *

TRANSLATION OF DOCUMENT D–908

Extracts from an article in "DIE LAGE" of the 23rd August 1944 entitled The Jewish Problem in Hungary

* * * * * * *

It was a matter of course that the German offices in Hungary did everything possible after March 19th to eliminate the Jewish element as rapidly and as completely as was at all possible. In view of the proximity of the Russian front, they commenced with the cleaning up of the northeastern area (North Transylvania and the Carpathian province) where the Jewish element was the strongest numerically. Then the Jews were collected in the remaining Hungarian provinces and transported to Germany or German controlled territories. 100,000 Jews remained in the hands of the Hungarians to be employed in labor battalions. By the appointed day, the 9th July, the Hungarian provinces were without any Jews. Here remarkable consistency and severity were used in the shortest possible time. An important prerequisite for the success of this action was the fact that the measures against the Jews met with the full consent of a majority of the Hungarian people. It must, it is true, be stated in limitation that numerous Jews were not affected by the measures because of the

Hungarian Jewish laws being used as the basis for the qualification of "Jew." Thus, for example, all Jews are exempted who are married to non-Jewesses or who received high decorations during the Great War. Up to the 9th July, approximately 430,000 Jews from the Hungarian provinces had been handed over to the German authorities. The handing over takes place on the Hungarian national frontier, up to which the carrying out of the measures against the Jews, and with it also the responsibility for it, is a matter for the Hungarians.

Difficulties over the Deportation of Jews from Budapest

As the last stage of the measures against the Jews, the Jews from Budapest were to be deported. It is a question of approximately 260,000. But in the meantime pressure from enemy and neutral countries (Hull, the King of Sweden, Switzerland, the Pope) had become so strong that those circles in Hungary that are friendly to the Jews attempted to influence the Hungarian government to prevent any further measures against the Jews and particularly their being handed over to German authorities. The Hungarian gendarmes who had been ordered to Budapest for the purpose of deporting the Jews were withdrawn again. * * *

COPY OF DOCUMENT D–911

MANCHESTER GUARDIAN
12th APRIL 1933

Extract from
Investigation of the Nazi Terror
Special Correspondent's Report

BEATINGS IN "BROWN HOMES" IN AND AROUND CASSEL

[From a Special Correspondent in Germany.]

April 11th

The inquirer by digging only an inch below the surface, which to the casual observer may seem tranquil enough, will in city after city, village after village, discover such an abundance of barbarism committed by the Brown Shirts that modern analogies fail.

The Brown Shirts in their totality are the instruments of a Terror that although wanton is systematic—wanton in the sense that unlike a revolutionary Terror it is imposed by no outward necessity, and systematic in the sense that it is an organic part of the Hitlerite regime.

I, CHARLES ERIC WAKEHAM of Caversham Park, Reading in the County of Berkshire, HEREBY MAKE OATH AND SAY as follows:

(1) I am the acting Director of the Monitoring Service of the British Broadcasting Corporation.

(2) It was the function of the said Monitoring Service to monitor and record broadcasts emanating from any part of the world during the War 1939 to 1945, and particularly broadcasts emanating from enemy owned or controlled stations. Such broadcasts were recorded and immediately transcribed from the said recordings by monitors expert in the language of the respective broadcasts.

(3) The document exhibited hereto contains extracts relating to the sinking of the "Athenia" which were broadcast from the German stations mentioned therein on the days and at the times also mentioned therein and which were recorded and monitored by the said Monitoring Service.

SWORN at 4 Chandos Street, Cavendish Square in the County of London this 18th day of June 1946.

[sgd.] C. E. WAKEHAM
Major.

Before me, HARPER, a commissioner for Oaths.

Extracts from German Broadcasts on the Sinking of the "Athenia"

ZEESEN IN GERMAN: 4.15: 6.9.39.

* * * After Germany's rehabilitation in connection with the Czenstochowa allegations, the German Press refutes accusations of the British Press that the German submarine had sunk the "Athenia". Churchill, as one of his first actions, order "Athenia" to be sunk in order to stir up antiGerman feeling in the USA.

ZEESEN IN ENGLISH 21.15: 6.9.39.

In the United States it is affirmed no protest to be lodged about Athenia. All circumstances surrounding sinking very mysterious, Britain trying to make it second Lusitania case. Churchill took over Admiralty and departure was delayed several hours. Out-of-the-way route taken. Several Scandinavian ships sighted. British destroyer squadron in neighborhood. USA Govt. had proof that no German warships or mines were in vicinity, when "accident" occurred prepared by British Admiralty.

British propaganda disappointed as expected to make Roosevelt drop neutrality declaration and signing of embargo. American scepticism not only based on reports but on proofs. Dismal failure to lure Soviet Russia into British spider's web compels Britain to look for other victims and fools.

After USA won war for Britain with their money in 191

British treated them with usual arrogance. The Babbits who threw millions of dollars into the war were never repaid; America still waiting for money, which was refused.

Example of British ingratitude, when America urgently needed rubber, of which Britain had monopoly, British rubber merchants increased price and millions of dollars flowed into their pocket. This was thanks for help.

Churchill tries to harness USA. Remember Lusitania, trick repeated now. Dear old "Randolph" calculated on proving it done by wicked Germans. * * *

* * * Kitchener also was in way of Churchill. He had too many followers in the country, so he was sent on fool's errand to Russia. A well arranged accident was staged, in which the lives of a few hundred British bluejackets did not matter. The 1916 statement of Churchill from the Admiralty that Kitchener was saved alive and taken on board steamer is without foundation. Churchill and Kitchener were always at daggers drawn.

Athenia was torpedoed by British and they will not fool the world or USA. Their tricks have been repeated too often.

DEUTSCHLANDSENDER IN GERMAN: 22.10 BST: 6.9.39.

British lie campaign continues, attempts being made to inculpate Germany with torpedoing of Athenia. All methods of unfair propaganda being used. "F.B." says Churchill and Ministry of Information should answer questions how long it took for rescue ships to reach "Athenia". Answer to this would inevitably establish who was guilty.

DEUTSCHLANDSENDER IN GERMAN 17.30: 7.9.39.

Angriff writes Athenia is only a new Lusitania trick of British propaganda. British torpedo boats for the benefit of America. Up to her old tricks and lies. Strong liar must be countered with strong measures. Churchill and Information Ministry try to repair damage done to their story but their arguments are taken from them. London alleges that Germany knew about gold on the Athenia even before London authorities knew. London try to make out Athenia sinking was work of the IRA but poor Irish had no means to have squadron of rescue ships on the spot, nor could they provide witnesses.

HAMBURG IN GERMAN: 19.30: 7.9.39.

* * * Another lie, however, not yet admitted by England; we therefore ask again when will Churchill apologize for torpedoing of Athenia? High Command of German navy again states—

(1) Each unit of German fleet has received command to conform in every detail to rules of international maritime warfare.

(2) There were no units of German navy in area in question.

(3) Consequently impossible to connect German navy in any way with loss of Athenia.

(4) Attempt, in spite of official German denials, to blame sinking of Athenia on German fleet typical product of incitement through false reports.

ZEESEN IN ENGLISH: 02.30: 11.9.39.

The Old Recipe. Sinking of Lusitania struck heart of America. It is doubtful if America would have come into the war if it had not been sunk. This fact comes home to us when we read that the Athenia was torpedoed. Who fired torpedo? Indignation is sweeping America. Germany restricts her attacks to military objectives, and Fuehrer knows his soldiers will obey his orders. No German ship was in locality when Athenia sunk. We know another Lusitania is needed by British public to appeal to heart of American public. Churchill reports that Athenia sank very quickly. It is strange that there was a sufficient number of ships near as if waiting to take off passengers, and that immediately after disaster a list of passengers was published in American papers. This is too good to be true. Many have not forgotten British propaganda during Great War. "New York Times" doubts the truth of British reports and states it would have been too stupid for Germans to have sunk ship. Who fired torpedo? Perhaps Mr. W. C. will tell us.

DEUTSCHLANDSENDER IN GERMAN 22.00 BST: 25.9.39.

Churchill's guilt in "Athenia" incident becomes more obvious through a new document. German press published on 21st September facsimile of letter of 29th August of Cunard Star Line, instructing all German branches not to accept bookings of German passengers, for S.S. Athenia. London Head Office gave as explanation change of itinerary. This was only pretext as "Athenia" left punctually according to itinerary on 2nd September. Embarrassed by publication, Churchill induced London Head Office of Cunard to issue denial of writing of letter. Cunard issued denial on 22nd September. Churchill would have done better to be silent, because already next day, day before yesterday, investigation in Cunard offices in Berlin showed that London denial was false. Cable of London Head Office was found, in which German branches instructed not to take any bookings.

Following questions to be addressed to Churchill: Why did Cunard attribute annulment of bookings and refusal to take new bookings to change of itinerary when Athenia in fact left according to plan? Why was it that German passengers were prevented from sailing on Athenia? Reply: Because Churchill wanted to avoid German eye-witnesses of his torpedoing. He wanted to replace Germans by American passengers. Why did you, Mr. Churchill, induce Cunard to issue full denial? Reply: You recognized danger which might threaten by publication of Cunard correspondence. Mr. Churchill, you didn't succeed in escaping from the ever-tightening bonds of guilt. Publication of document in Berlin Press has once and for ever exposed Churchill's guilt and all attempts of London authorities to veil First Lord's responsibility.

DEUTSCHLANDSENDER IN GERMAN: 19.55: 1.10.39.

Talk by Hans Fritzsche

Forgive me, listeners, if I do not give you usual talk on events of day, but speak above your heads to First Lord of Admiralty, Mr. Winston Churchill. I cannot prevent anyone from listening, but I address myself to Churchill personally.

* * * * * * *

Honorable and estimated Sir, this is a most awkward question. How did you have "Athenia" sunk? Were you not at all concerned about fate of one and half thousand persons, where there was not certainty that they could be saved by ships standing by, and were in fact not all saved? Did you really think that anyone in world would believe that Germany could be so foolish as to commit action right at beginning of war to see whether USA could not be brought into war? We have many more questions, but this is a question of questions. Did you find commander of British submarine who was willing to shoot on own ship, or did you have to have infernal machine built into ship before beginning of voyage?

We wait for your answer at 21.30, and we will reply to your answer at 23.00.

GERMAN HOME STATIONS IN GERMAN: 12.30: 7.10.39.

Who sunk Athenia? Question asked by Swedish paper "Svanska Volkssocialist". Asserts England tried to use this incident as used "Lusitania" sinking in World War to drive America into war. After sinking warlike spirit against Germany spread over America. Now, one must ask, would Germans not have been stupid if they had really sunk it? We know German military command corresponds to diplomatic successes. Clear now sinking not in German interest but in British. Further explanation not necessary. Circumstances point to sinking by English having been well prepared. Paper demands English propaganda in Sweden should be forbidden as represents danger for Swedish people; lies about Athenia prove that anew.

ZEESEN IN GERMAN: 10.30: 7.10.39.

* * * Swedish paper asks: In whose interest was sinking of Athenia? We know, says paper, that Germany has connected

direction of war very cleverly with great diplomatic successes and would not commit capital mistake of sinking this ship and risk war with USA. Swedish paper says Churchill alone is at fault.

GERMAN HOME STATIONS IN GERMAN: 20.03: 15.10.39.

Sinking of "Royal Oak" made great impression in Washington circles. American naval experts point out that one single torpedo was enough to cause sinking of battleship in few minutes. With this, Admiralty admitted against own will effect of German torpedo. This effect is contrasted with effect of other alleged German torpedo: "Athenia" took hours to sink * * * Churchill is caught in his own toils. Unconsciously he admitted by statement on torpedo against "Royal Oak" that torpedo against "Athenia" cannot have been a German one. People do not believe that British submarine commander was found to sink ship of his country's navy in service of political ends. We, however, are convinced time bomb was put into ship's hull. This is only explanation for fact that so many ships were there in time to help.

GERMAN HOME STATIONS IN GERMAN: 17.00: 18.10.39,

A new witness against Churchill's Athenia lie turned up in America. Mr. Anderson (?) from Illinois has been questioned by Washington's State Department. He declared on oath: "Lamps in ship were burning for hours after alleged hit. Ship sinking for fourteen hours. Three British destroyers were near Athenia". Investigations made by the State Department about reliability of witness turned out very satisfactorily. State Department preparing publication of White Book concerning these reports.

DEUTSCHLANDSENDER IN GERMAN:00.00 20/21.10.39.

Sworn testimony of American Anderson regarding Athenia, an unbiased witness, proves Churchill sent hundreds of innocents to their death. * * *

ALL GERMAN STATIONS: 20.15: 22.10.39.

Goebbels' speech: Accused Churchill has Ear of Court

Regret to have to interrupt your usual Sunday evening program to put some very urgent questions to your First Lord, which demand to be answered. He does not even try to answer accusations poured out by our radio and press for last weeks in all European languages himself, but simply allows anonymous persons to make statements on English radio and in press, and evidently thinks he can settle the business with a dementi. There can, however, be no more question of this. Firstly, because our accusations and those of neutral witnesses have been made so precisely that cannot be denied, second because any dementi of Churchill's has no value in Germany, neutral states or even England, after his well-known lies, and thirdly because precise questions demand precise answers. Churchill is accused before world tribunal of public opinion. That is why I am speaking tonight.

Churchill tries to brush aside accusations of German press and radio with movement of his hand. But he must reply to a German Minister if he does not want his silence to prove him guilty. This war is his work, he even boasts about it, and nations accuse him of it. He has become European danger. He should not try and escape like a rabbit in a wood. But we shall know how to snare him. We have plenty of experience in dealing with people of his type, and know what sort of treatment to give them, and if we have to use hard words, sometimes, we can only say some people's wisdom teeth have to be smashed before they stop lying and speak the truth. But he cannot stick to his lies if he has an equal or superior opponent. That happened in last war and this is why his methods did not succeed that time. Today things are different: he stands before N.S. Germans. In our long history, we have so often dealt with lazy opponents, that we don't doubt we shall deal successfully with him too. Lazy excuses are no good. If he wants to bring counter-accusations, it will only make us smile.

You, Mr. Churchill, after sinking of Athenia, informed world that this British ship with Americans on board was torpedoed by German submarines. This invention was made with the transparent object of discrediting Germany in the eyes of the world and bringing America into the war. You have no proof for this lying and crafty statement. Why then, did you take all measures to insure that no German passengers were on board?

Why should you have excluded German passengers from voyage? You have excluded them to avoid disagreeable witnesses of your criminal action that you were about to commit. Since your first announcements about sinking of Athenia which you have trumpeted out into the world we have not been idle and in shortest time we have succeeded in furnishing circumstantial evidence to prove absolute truth. After a few days only it had to be regarded as established that German torpedoes were not concerned with sinking of Athenia. You declared, despite our arguments, that our reports caused laughter in England and the whole world. But nobody has been laughing except you and even you have been laughing with embarrassment and bad conscience only. But now even you have stopped laughing. You thought you would succeed again the same as in 1917 in dragging USA into European conflict. You hoped during further development of affairs the original cause, the sinking of the Athenia, which had to be ascribed to your own machinations, would easily be forgotten.

But America has withstood your shell-burst of propaganda. In decisive days and hours America has not lost her nerve. But now you must speak up, Mr. Churchill, because the case of the Athenia is not finished with the failure of your plans, nay, it only starts with it. We have forgotten nothing and we will not allow grass to grow over the case. Again and again we have attacked you, Mr. Churchill, in articles, broadcasts and so on. You tried, like everyone with a bad conscience to lie low or to speak about things quite different from the things that mattered. You know us badly, Mr. Churchill. We will not give way. And no lie on your part, however impertinent, will make us silent. We have got our claws into you and the best thing for you would be to stop playing the harmless, unconcerned gentleman and to speak up frankly and loudly, for we shall not cease to chase you until you answer our questions. We will continue shouting: Stand, Knave, and answer!

We have published in yesterday's German Press the testimonial of an unbiased witness, Mr. Anderson from Illinois, and have thus furnished another clear proof that you, Mr. Churchill, have sunk the Athenia through three English destroyers. Now we demand an answer to the following questions until you admit your guilt:

1. How could you, Mr. Churchill, speak of German torpedoes in your first announcement, in spite of the fact you, as First Lord of the Admiralty, knew very well and had to know that it was three British destroyers that sank the Athenia.

2. How could you have tried to make the world believe that the Athenia would have stayed afloat for fourteen hours after a hit by your invented German torpedoes while your giant battleship Royal Oak had sunk in a few minutes in consequence of German torpedo.

3. Why have you not said anything at all about the fire of the three English destroyers until now, despite the fact that you as First Lord of the Admiralty had to know, and knew it.

The fire of the three British destroyers was the best piece of evidence pointing to the culprit. Why did you have to be reminded of this by Anderson and why did you wait until today with the announcement of this important fact, in an affair which might have drawn the USA into war, when you knew how important this circumstance was.

4. Where did you, Mr. Churchill, hire your questionable witnesses who, shortly after the disaster, were interviewed by the BBC and who have stated quite the contrary of what has been

established as undeniable fact by a sworn statement of an unbiased witness.

5. And why do you now, Mr. Churchill, try to keep silent while you have flooded the world with your lies shortly after the sinking and why do you try to cover a subject so catastrophical for Britain and the world with a cloak of silence. This is not your usual self. In your books you are the most verbose chatterer of any British Minister. Your conceit alone would not have allowed you to leave laurels unplucked which were in your reach. Why are you so silent and quiet now. Does the knowledge slowly dawn upon you or are you afraid of inevitable consequences now? Do you think you can escape us by flight into silence? You are very much mistaken. You do not know us well. We will stick to your heels. We will never accept your silence. We shall put you on the spot and force you to answer. It is proved for everyone that it was not German submarines that sunk the Athenia. Your stroke against us was a stroke into emptiness. This does not settle the matter. The world demands to know who has sunk the Athenia.

It is beyond doubt that she has not been sunk by German submarines. There is nothing left for you but to make a clean breast and a frank confession that it has become the victim of your own criminal coup. The whole world waits with us for your confession. Out with the truth! You have never hesitated to bother the public with speeches and announcements of far less important matters. Into the House of Commons, Mr. Churchill, and speak, speak, speak. Not enough if Reuter again declares that Admiralty does not condescend to answer our tiresome questions. This, pardon me, Mr. Churchill, is no answer. It is a bad excuse, Mr. Churchill. You cannot escape answering for lack of time. You had time enough to invent fairy tales about sinking of German submarines, time enough to produce lyrical poems on heroic feats of British troops in France of which poilus had seen no trace. You had time to launch such exaggerated reports on German losses at Western Wall that French press had to pull you up and point out that obviously figure in your reports had one 0 too many. You had time to address from Commons German submarine commander alleged to be in British prison camp, at same hour when same commander gave interview in Berlin to foreign Press correspondents. Laughter of whole world did not prevent your going on in this way. You had time to affirm that a dog was only victim of Edinburgh raid at same moment when Admiralty published high figure of real victims. You will now find time to speak up on your own behalf. Come on, speak up, Mr. Churchill.

But of course I know that we shall wait in vain. You cannot give us the truth we ask for firstly because it is against your well-known character and temperament and secondly because you would thus sign your own political death sentence. Therefore, permit me to give you some assistance. I will assume role of examining magistrate who wants to make it easier for a stubborn defendant to confess his crime. The mysterious case of Athenia is not really at all mysterious; it is mysterious only as long as one does not bring your guilt into the picture. But as soon as one does so it becomes most simple, most primitive but also most dastardly piece of knavery in modern history. It was like this.

Athenia had already left port before outbreak of war but you knew very well that England had intention of declaring war on Germany. And you knew that in this case the plan existed to make you, Mr. Churchill, First Lord of the Admiralty. You wanted to celebrate your assumption of office, quite in tune with your character, with first big hit. You wanted to bring as dowry on entering office the entry of US into war. When you prepared liner Athenia for an explosion which you planned in all details you arranged there should be no German passengers on board because they would have been most inconvenient witnesses. You sent circulars to all branches of British shipping agencies asking them to exclude Germans from booking passages. You made them give as transparent reason for this that Athenia would change her course. She did not, but there were no German passengers to witness your crime, Mr. Churchill. You had everything carefully prepared for explosion which you knew you could command at any given time by wireless, and you arranged everything so that no trace could be found to bring final proof against you. Of course you did not prevent American passengers from going on Athenia because their loss might realize hopes you had for America's participation in war. You wanted American passengers to appear as victims of dastardly German naval warfare, as silent witnesses demanding US entry into war. You also took measures to prevent explosion at an earlier moment than you thought useful. This is proved by Anderson's statement that smoking was strictly forbidden on Athenia. You timed explosion for moment when it suited your aims. And you had three British destroyers ready to rescue neutral passengers—of course rather doubtful witnesses—who were to give proofs you required. Obviously you remained all the time between departure and sinking of Athenia in continuous radio communications with vessel. You decided the minute for the explosion and were of course very angry when it was bungled, as shown afterwards. Athenia simply would not sink. It stayed afloat for fourteen hours without sinking and then after fourteen hours, hours of waiting in vain you ordered three British destroyers to shell ship in order to remove all traces of your crime. You hoped that probably no survivors would be found who could courageously tell the truth.

You hoped perhaps also that witnesses would be so confused by panic that you could get your infernal lie accepted by world if only you ceaselessly impressed it on public opinion. Immediately after sinking of Athenia, you made, with much beating of drums, public announcement, which had obviously been prepared long in advance with all details. Press and wireless are witnesses of this. They had to publish what you wanted, not what they considered right. Then you worked on public opinion in US. All German assertions were brushed aside with a wave of your hand. Yet even so, America did not come into the war. She did not come along as you had hoped, therefore you retired to dark silence. Presumably you thought at the time that you would allow grass to grow on this story too. Surely this is how it was thought out and planned and carried out? Wasn't it, Mr. Churchill? And then that accursed Anderson in the USA exposed your swindle. Awkward, very awkward for you, Mr. C. Now you are really in the soup. And the whole world is waiting, understand me well, waiting for your reply, and they will wait no longer for this reply. Whole American press today publishes our detailed statements about sinking of Athenia, and in meantime, Anderson has appeared, and now Scripps-Howard reports that another survivor of Athenia, American citizen, Helen Macdonald, reported, on second day after sinking, that British destroyer which rescued her fired several shots at Athenia, as it was alleged, to prevent floating hulk being danger to passing ships. That lazy excuse can only have been invented by you, Mr. C., and don't expect to put it over on us, because if Athenia had been sunk by torpedo from German submarine, it would never have kept afloat fourteen hours after hit.

But Mr. Churchill, we don't want to try and deceive each other! That won't work. You would have covered Athenia with gold and towed it to English or neutral harbor. We can already see in our mind's eye the international court of inquiry which would have been set up and which would have nothing more to do than to declare that German submarine had torpedoed Athenia and then USA would have no alternative but to go to war against the infamous German Huns and barbarians. You wanted to have "corpus delicti" removed so as to cover up traces. But you did not reckon with Anderson and Helen Macdonald, and now it is all most unpleasant for you. Above all, Anderson will get on your nerves. You obviously wanted to be able to say "Mortimer died most conveniently for me". Unfortunately, Mortimer is not dead, but lives and has arisen from dead as witness against you, Mr. Churchill, a witness so clear, so evident and so undisputed that nothing can be done against it. That is how it is, that's how it is with you, Mr. C. Any other man who had been accused as we are accusing you, would either stand his man and reply, or retire into shame and disgrace. But you made your pitiful attempt to produce political lie to effect that atmosphere in Berlin was bad on account of signing of Turkish Agreement, and therefore you have been accused by Berlin radio once more of sinking Athenia and denounced as a criminal. All American publications, of course, have published this report, but London radio has not told its eager listeners one word. Only reported that you, Mr. C., had been created Colonel of Artillery, on account of your shooting practice at Athenia.

London wireless talks of atmosphere in Berlin. Why should Berlin atmosphere be depressed? On contrary, successful attacks against RO, Firth of F. and other successful attacks, all have put us in best atmosphere. And if London wireless does not report your misdeeds, Mr. C., then German radio will have to do it. The Athenia case is not finished, on the contrary, it has become Churchill case, and that has become English case. Question arises of whether criminal can still be left in same office, or whether whole world opinion does not finally consider it more important to get rid of unscrupulous liar. This must be decided by you and England. We are waiting for the answer. Answer quickly and thoroughly. Do not make any excuses and talk beside the point. There is no doubt that you, Mr. C., would be found by every court in whole world to be guilty. You now stand before world opinion, it can also judge and will judge, more loudly and clearly than ever before. You have heard what our accusation is. We have arranged for this accusation to be broadcast tonight to all countries in the world and in every language on earth. Now it is your turn to speak. We are waiting eagerly for your reply. First Lord of British Admiralty has ears of the court.

[cover]

The Supreme SA Leadership
TRAINING DIRECTIVES
for
1939

Not to be published. Booklet 1.

The Supreme SA Leadership
Ch. No. 11 100

Munich, 4th November 1938

I hereby prescribe the following

TRAINING DIRECTIVES
for the
Training Year 1938/1939

The Chief of Staff
LUTZE

INTRODUCTION

Two fundamental sentences of the Fuehrer from the proclamation of his Storm detachments (i.e. SA) on 11th September 1938 on the occasion of the Reich Party Rally shall stand at the beginning of these training directives as pointers and indicators of the final aim.

1. "The tasks which have been set the men of the fighting movement of the Party during the 15 years since the year 1923, have remained, nay, they have indeed grown. At that time the new ideal had to be announced and carried through in Germany; today this ideal must be maintained and deepened! The National Socialist movement shall be the school of the spirit, the school of the will, but also the school of the body."

2. "The strongest spirit of faith and will, of confidence and steadfastness above all, responsibility and energy, combined with a strong body, healthy and beautiful, thus do we want to shape our nation for the future! Thus do we want to educate it, and never to lose sight of this task."

Time Table for the Training year 1938/39

November to the end of June, company (Sturm) training subdivided into:

First training period from November 1938 until early February 1939

Second training period from early February 1939 until the end of April 1939

Third training period from the beginning of May 1939 until the end of June 1939

Test of the company's performance from the 15th May to the 15th June
Competitions between regiments (Standardten) from the 14th May to the 11th June
Competitions between groups from 17th June to 9th July
Reich competition from 21st to 23rd July
Marksmanship competitions at Zella-Mehlis from 27th to 29th July
Reich competition of the Naval S.A. in August (exact date will be notified)
Pack marches of the groups and German pack marching championships in October
Competitions in the modern pentathlon and fencing (date still to be notified)

A. General Remarks:

The training directives for 1939 are the result of the experience gained from the two peak moments of the S.A. effort during the year 1938—the competitions and the Reich Party Rally. The successes achieved by the S.A. in the competitions—particularly during the National Socialist tournament at Nurnberg—are the clear result of the team achievement and thus of the breadth of the S.A.'s work. The Reich Party Rally itself allowed the deepening of the work of training to be clearly recognized from the S.A.'s appearance. Resulting from these two points of view, the following training directives have been laid down. A further, outwardly visible, increase of successes will only be possible in the coming year by making the training in all groups strictly uniform. The training directives take this into account by laying down training periods with the concluding performance test in the company. In this manner it is hoped to achieve the result that certain companies will not be trained for the competitions from the very beginning.

As a result, the company service gives a clear picture of the progress of the training and thus helps to make possible the examination of how far leaders and men can be used. It is to be shaped in accordance with this and takes place at the end of a period of training.

The ideological training is to be an education towards political maturity by making use of daily political topics, and is to make understandable to the S.A. man the current measures of the National Socialist government and its connection with the great aims of the National Socialist ideology and program. A particular form cannot be prescribed for this.

The off-duty hours devoted to cultural tasks, which include the cultivation of the S.A. songs as a prerequisite, form the spiritual link in the whole course of S.A. duties.

B. Training periods

1st Training period from November 1938 until beginning of February 1939.

The aim of the first training period is primarily external training, as well as the moulding of the initiative of each individual man; it further provides the theoretical preparation for service in the field with a view to the practical training during a more favorable season, the main emphasis in the training during the first training period rests primarily with the section.

Physical training has to extend to the maintenance and improvement of capacity for movement. Performance sports are to be carried out only in exceptionally favorable weather conditions.

In the musketry duties the foundations for the practical carrying out of firing should be laid, refreshed and deepened, during the training of the sub-units in the evenings:

Discussion of contemporary events and of the political questions of the day, beginning from the personal sphere of experience of the SA man as well as cultivation of the SA song.

Marching, basic physical instruction and individual exercises lay the basis for disciplined, orderly and uniform team performance.

The foundations for discipline and order are laid in the section.

Allowing for the seasonal conditions, the above branches of training are to be arranged chiefly for the winter months.

With regard to marching:

Carrying out of a thorough inspection of clothing and equipment. Carrying out of a foot inspection by the medical NCO of the unit, followed by instruction about behavior on the march. Packing of the knapsack.

With regard to drill:

Individual drill and Section drill in accordance with the Introductory Regulations, Part I.

With regard to shooting:

Knowledge of the weapon, theory of firing, exercises in aiming, and firing positions in the target garden. Instruction about behavior at the rifle range.

With regard to field training:

Map reading and orientation. Easy marching exercises for short distances without equipment (discipline on the march). Carrying out of a night march. Exercises in message delivery.

With regard to sport:

Basic instruction, ground exercises, games, carrying out of a simple run through the woods and an orientation run.

With regard to practical application:

To conclude the 1st training period, carrying out of an alarm exercise in the company, followed by a march during which the individual sections are to be set simple orientation tasks. Practice march to be concluded with propaganda talk.

Second training period from the beginning of February 1939 until the end of April 1939.

The second training period serves the fostering of individual performance and thus lays the basis for team performance.

In drill instruction, platoon training is to commence. After practice of the basic movements, applied drill tasks are to be set, as they occur in drill movements necessary in political employment.

The training in sport is directed at raising the standard in performance sport, as required in Group 1 of the S.A. Sports badge. The raising of the average performance must be the aim. A detailed appraisal and record of individual performances is indispensable for the systematic improvement of this.

Frequent practice firing courses are of value in the preparation for military training. A precise evaluation of the results of the practice shoots by the company firing officer is to be made the basis for the raising of the standard by systematic work with the instructors.

With regard to field work, conscientious individual training is to be undergone with not too ambitious aims.

The main stress in the training in the second period rests primarily on the platoon.

Performance sport and pre-military training according to the requirements of the S.A. Sports badge in the drilling and training of each individual man—lay the basis for the performance of the team.

Performance sport, like premilitary training, demands N.C.O's who are in a position to act as instructors and teachers. The training supervisor should preferably be the platoon officer, holder of an Instructor's Certificate.

Taking into consideration the demands of health in connection with weather conditions, the practice of performance sport should be postponed, primarily to the spring.

All theoretical instruction of a preparatory kind in field training, as well as practice marches, alarm exercises and the fundamentals of musketry training—belonging to the various sections of premilitary training—are to be relegated to the winter months.

The practical part of field training, also practice shoots, are to take place according to the weather conditions, in the spring or summer months.

With regard to drill:

Platoon drill according to Introductory Regulations Part I. Applied tasks like the formation of separating lines.

With regard to firing training:

Practice shoots on the range, separated in accordance with firing standards.

With regard to field training:

Individual training: methods of movement in the field. Applied map reading, orientation. Training in observation and appraisal of country. Judging distances (entries of results). Use of ground and camouflage. Continuation of exercises in message delivery.

With regard to sport:

Short and long distance running, jumping, throwing, pushing, lecture by the Medical Leader about first aid in case of accidents. Organization of obstacle relay races without apparatus, as preparatory exercise for the surmounting of obstacles in their basic form, as used in contests. Cross-country obstacle race. Tournaments. Carrying out of at least one practice march with equipment.

To conclude the second training period, 12 km. march, with tests in marching discipline and the marching song, setting of observation tasks during the march, a memory test and transmission of short messages. Insertion of a 500 m. run across country.

Third training period from beginning of May 1939 to the end of June 1939.

The third training period serves to improve the individual performance in sport, to deepen the individual training in the field and to mould team performance in all branches of training.

With regard to drill, the setting of tasks to the NCO's by the company commander is of primary importance.

The sports training serves to raise the standard in the performance sports further, with a view to the approaching competitions.

The highest possible performance of small teams should grow out of the extensive company training (compare regulations regarding competitions issued for the Reich Competitions of the S.A. 1939).

With regard to musketry training: raising of the standard of performance in practice shoots. Preparatory work for the competitions.

Field training is to advance from the pure training work of the second training period to the setting of tasks for the individual man.

The main stress of the training in the third training period still lies predominantly with the platoon. In addition, the complete spiritual and physical powers which were nurtured in the section and platoon training, are to be exercised in the company, as the school of performance and competition where performance tasks are yet to NCO's and men.

With regard to drill:

Company drill in accordance with Introductory Regulations Part I. Company training. Applied tasks in the company.

With regard to musketry:

Continuation of the musketry practice.

With regard to field training:

Description of country. Appraisal of countryside. Competitive estimating of distances with increasing difficulties.

With regard to sport:

Performance sport: practice in performance sport. The cross-country obstacle race in the company: relay race.

The third phase of training is concluded with the performance test in the company (See page 15). After the performance test in the company, the further training within the units is to be one of preparation for the competitions for the S.A. sports badge and for the Reich Party Rally.

The general training directives serve as a basis for the training of the special units.

Special training takes place in accordance with the training directives for the special units to be published shortly.

C. Performance Test in the company

As a conclusion to three phases of training, the test of the company's performance taken place during the period from 1st May to 15th June (exact date according to regimental competitions and other local conditions). Every S.A. man has—insofar as he is able to do so from a point of view of health—to take a test in the following exercises after a thorough training

1. 100 m. sprint
2. 1500 m. cross country run
3. Long jump
4. Grenade aiming (30 m. at practice head targets, 4 m. in size, every man to have 6 throws).
5. Small bore shooting (5 shots in a lying position without supporting the rifle)

6. 15 km. march

7. Estimating distances.

Where local conditions permit, the above performance tests are to be held within the framework of a public competition meeting of the company, in order, above all else, to give the rural population an insight into the physical training of the S.A. The decision concerning this is left to the groups. Otherwise the performance test from C1 to C5 can be taken within the platoon.

The company and platoon leaders (holders of the P and L certificates) are responsible for taking down the performance test. The employment of S.A. leaders from other units as competition judges is purposely being refrained from, as in the case of every S.A. leader a conscientious activity as competition judge and honesty when evaluating the performance of his own company must be taken for granted.

To conclude this last phase of training and of the performance tests in the 100 m. sprint, 1500 m. cross-country run, long jump, grenade aiming and small bore shooting preceding it, the test in the 15 km. march and in estimating distances will take place within the framework of a full day's duty. On this occasion a general inspection of the company by a senior S.A. leader is to take place.

1. Falling in and reporting of the company by the Company Commander. Inspection of bearing and uniform on this occasion, as well as an examination of the general impression created by the Unit.

2. Drill task to be set to the Company Commander. 5–6 changes of formation, to be executed within a pegged-off area. March off with a song chosen by themselves.

3. Change into P.T. kit. Carrying out of sports exercises (duration 25-30 minutes). Physical exercises, simple games and other sport at the choice of the Company Commander.

4. *a.* 15 km. march. In column of route, first on good roads for about 7 km., then on field paths for 3 km. thereafter halt of the whole company. At the halting place announcement of a point 1 km. in front for every platoon from the map 1:100,000. March off by platoons. On arrival at the required points, the platoon leaders will make a sketch of their position and report the assembly of their platoon in writing to the Company Commander at the halting place by runner.

b. The performance test in the judging of distances in the individual platoons is to be taken at the platoon assembly points. The following distances are to be estimated:

two each in the near distance

two each in the middle distance, and
two each in the far distance:
in each case one should be easy, one hard to see.

Having received the report with the sketch, the company commander sends the same runner back to the platoon leader with the order to lead the platoons individually to a point fixed on the map. There the company commander once more assumes command over the company and leads it in close order over the rest of the distance. Natural obstacles, the width of which is to be marked by lateral demarcation (with flags etc.) are to be surmounted on the last section of the marching route.

5. Conclusion of the day's duties by a solemn company roll-call. (Address of the Standarten — or Sturmbannfuehrer) The company flag is to be carried on the performance march.

The Supreme S.A. Leadership is issuing a Performance Book, in which the results of the performance test for the year 1939 must be entered, but in which entries are to be made during the whole period of practice as from 1940. Over and above that, it is left open to the groups to order further entries regarding the exercises in the companies in 1939 already, in order to get a means of keeping a check on the raising of the standard of performance.

In 1939 the results of the following exercises are to be entered in the Performance Book: 100 m. sprint, 1500 m. cross-country run, long jump, throwing of hand grenades at a target, small bore shooting, marching and judging of distances.

The individual man is considered to have passed the performance test of judging distance if 3 of the 6 distances are estimated correctly. (Margin of error allowed for each distance separately: 20%)

The evaluation of points for the performance test in the judging of distances is calculated by working out the number of correct solutions and expressing it as a percentage of the total number of participants.

Entries are to be made also by the Company on the basis of the performance tests on the Company evaluation sheets prescribed for this purpose (see Page 20) in order to achieve thereby a statistical collection of the total performance of the S.A. in the prescribed exercises. Forms and instructions for transmission to the Supreme S.A. leadership will be sent to the groups. The following entries are to be made:

a. Nominal strength of the company in the month of the performance test,

b. Number of participants in each separate exercise, *c.* The percentage of the number of participants in each exercise,

d. Average result in each exercise,

e. Calculation of the number of points in each exercise and thus a total evaluation based on the percentage of the number of participants and the average performance. (See example)

The company with the best performance in a group will receive a special award from the Supreme S.A. Leadership.

The groups are also entitled to make special awards to the best companies.

Scheme for the conclusion of the performance test in the Company. (15 km. march and judging of distances)

See Sketch map on Page 17.

At A. Parade of the Company, Report, Drill, Sports. Start on the 15 km. march.

At B. Division of the Company into the three platoons; task set to the platoon leaders: finding of points I, II, III.

At I, II, III: Drawing up of sketches and report to the company commander (Remained at B). Judging of distances.

To C. (km 12) Further march by individual platoons.

At C. Concentration of the Company under the command of the company commander.

From C—A: Further march of the whole company (Surmounting of obstacles H 1—4)

At A. Final roll-call.

Performance tests of the Company

Evaluation	Points	+Points	—Points
1. 100 m. sprint:			
15.5 secs average	100		
For every 1/10 sec less		3	
For every 1/10 sec extra			3
2. 1500 m. cross-country run:			
6 mins. average	100		
For every second or part of 1 sec less		1	
For every second or part of 1 sec extra			1
3. Long jump:			
4 m. average	100		
For every 2 cm. or part of 2 cm. extra		1	
For every 2 cm. or part of 2 cm. less			1
4. Throwing of hand grenades at a target:			
Total result multiplied by 20 and divided by the number of participants = number of points			

Evaluation	Points	+Points	—Points
5. Small bore shooting:			
35 points average	100		
For every 1 point above average		4	
For every 1 point below average			4
6. March:			
Marching test completed by all participants	100		
For every man dropped out during the march			5
7. Judging of distances:			
Correct solution by 80% of the participants	100		
For every 1% extra		2	
For every 1% less			2

Company evaluation sheet for the performance test 1939. Company 13/19, Goerlitz, Company strength during the month of May: 117 men

Events	Number of Participants	Participation in Percentages	Average Performance	Points
100 m. sprint	98	83%	17.3 sec	46
1500 m. cross-country run	100	85%	6.30 min	70
Long jump	103	88%	3.40 m.	70
Small bore shooting	107	91%	25 points	60
Grenade throwing	107	91%	a total of 433 hits	80
March	110	94%	5 dropped out	75
Estimating distances	110	94%	60 correct results	60
Total participation		89%	Total number of points for performance	461

The percentage of participation and of points will be worked out without decimal points.

The total of points gained in the performance test is obtained as follows:

Points of performance: =461
Plus points for percentage of participation =145 (89% = 145 points)
Total 606

[Pages 20-23 contain a schedule showing how points are to be awarded for the percentage of participants.]

D. Pack marches.

The route march and the harder form, the pack march, are forms of exercise for toughening up the body in the sense of maintaining and increasing military powers.

The aim is to increase marching capacity, stamina, discipline and comradeship.

The purpose of the march does not consist in covering a certain distance in the shortest possible time, but in bringing a group of men to the objective where they have to carry out a task that should always be linked up with the route or pack march and in bringing them there in good condition and capable of going into action.

Every single S.A. man must be rendered capable, through systematic building-up work, of lasting out the marches in good condition and of being capable of going into action at the conclusion of the march.

Differentiation is made between:

I. Practice route marches.

II. Performance route marches, which may also be performed in the form of contests.

I. 1. Practice Route Marches:

The organization of the practice route march must already make the aim apparent, namely, to bring all participants in the march to the objective in a condition capable of going into action.

The practice route march must therefore be organized according to a plan, i.e. the difficulties must be increased from one practice march to the next. This increase in difficulties does not refer to the time in which the march must be completed. The meaning of more extensive training cannot be found in a progressive lowering of the time: on the contrary, the length of the route to be covered at a normal rate of marching of 5 km. per hour when marching with equipment and 6 km. per hour when marching without, is to be increased from one training period to the next.

2. The increase in difficulties is achieved by observing the following points:

a. To begin with, flat country, good roads.

b. Uneven country — hills — paved roads—country lanes — marching across fields—through woods—through underbrush.

c. Time of year — time of day (particularly practice night marches—silent marching)—time of year (marching in snow—during cold weather—during heat).

d. Without equipment—with equipment. Increasing the weight of the equipment carried—with small bore rifles—decreasing or leaving out the rest periods.

3. Well planned working out of the practice marches. No purely technical marches, i.e. other possibilities of training to be connected with the march.

4. Care is to be taken that the participants in the march are medically supervised during the time of training.

II. Performance marches:

1. Admission to the performance marches is only granted after successful participation in the practice marches.

2. In arranging the endurance marches also, a proper increasing of the difficulties is to be taken into account.

Action tasks are always to be demanded and if possible are to be arranged for the end of the march. The following come into consideration: grenade throwing and aiming, and small calibre snap shooting at practice head targets.

3. Increasing the speed by comparison with the practice marches is not called for, but the distance can be increased up to 35 km.

III. Performance marches carried out as competitions:

As a concluding examination, competitive pack marches can be advertised, such as are already being carried out by some groups (Julius Streicher pack march, Hanseatic pack march, Silesian pack march etc.)

1. Admission to these pack marches is only granted after successful participation in the practice marches.

2. During these marches an increasing of speed is to be called for. The following is laid down:

9 minutes for each km. No points are awarded for better times. At the finishing line of the pack march, action tasks are to be carried out by the teams, which must be of a degree of difficulty corresponding to the competition.

3. So as not to upset the training as such and the competitions already laid down, it is ordered that these pack marches may only take place during the month of October.

The last and most difficult test of march training is the German pack marching championship. It is to be carried out at the end of October in the area of the Saxony group. Invitations for this will follow. They are to be regarded as models for the issuing of invitations for competitive pack marches in the individual groups.

For the carrying out of and the admission to this competition, the same points as under III, para. 1 and 2 apply, but taking increased difficulties into consideration. The marching speed will be increased to 8 minutes per km.

E. The S.A. Sports badge

1. Acquisition:

The aim set in the training year 1938, which was the acquisition of the S.A. Sports badge by the remainder of the able-bodied S.A. men, was not attained owing to various events in the fields of foreign politics and economy. Most of the S.A. groups, however, got very close to this goal, so that it is unnecessary to issue special directives for the acquisition of the S.A. Sports medal in the training year 1939.

The three training periods laid down in the present training schedule make it possible for all S.A. men who are not yet in possession of the S.A. Sports badge to prepare themselves thoroughly for its acquisition within the framework of their S.A. service. Exercises not laid down in these directives, such as gas masks, first aid, etc. are to be performed by these men additionally. The training directives are drawn up in such a form that the service schedule of the separate units is given a basic uniformity. Continuous training, preparatory work for the S.A. Sports badge and for the repeat exercises, as well as practice exercises for all sporting contests are accordingly rooted in the year's training.

Every able-bodied S.A. leader and S.A. man should therefore be in possession of the S.A. Sports badge by the time of the Reich Party Assembly 1939.

The service of the clubs of S.A. men in possession of S.A. Sports badges already in existence or which are to be set up during the winter is to be combined widely with the service of the units.

2. Repeat exercises:

Two repeat exercises have been fixed for the year 1939:

a. 1 May until 15 June 1939

1500 m. cross-country run

Throwing of hand grenades at a target

Small bore shooting (5 shots from a lying position without support)

b. 24 September until 29 October 1939:

15 km. march with a field exercise and subsequent reporting task.

With regard to *a* the first exercise consists of parts of the performance tests of the companies. It can be regarded as passed if the performance tests have been taken. The supervision of wearers of the Sports badge who are not members of the S.A. is to be combined with the performance tests of the companies. The decision regarding their execution rests with the groups.

With regard to *b* the 2nd repeat exercise will take place uniformly throughout the whole Reich on the 24 September. The Chief of Staff will speak at the beginning. Those wearers of the

S.A. Sports Badge who are prevented by their jobs from attending on the 24 September are to be given an opportunity to catch up on the subsequent Sundays.

Separate directives will be issued about organization, the collecting of holders of the S.A. sports badge and the carrying out and/or evaluation of tests.

The times of the repeat exercises are, however, to be taken into account already in the training program of the groups.

F. Training of leaders:

The leaders of the groups will lay down the training of leaders according to plan. The aim of the training of leaders in general has to include discussion of the training directives and of the regulations for the competitions for the year 1939, also the manner of carrying out the training in the separate periods of training.

Over and above this, the leaders of the groups have to promote the advancement of the individual achievements of the higher and middle leadership corps in pre-military sport and in sports, in connection with the demands made upon the S.A. man during the company (Sturm) performance test, the more so as, during the S.A. competitions for 1940, competitions for leaders will take place on a larger scale than before, which are to give an idea of physical performance as well as performance as a leader.

G. Theses for the work of education within the units

1. Every S.A. man must be acutely aware of his task, of being an example in the maintenance, advancement and strengthening of the intellectual, spiritual and physical military powers of the German people.

2. The educational aim of the S.A. is fixed in connection with the above-mentioned powers. The ideology of National Socialism alone forms the unshakable basis of this education.

3. Training with the aim of increasing the standard of performance is, in all its branches, the means for the formation and consolidation of all moral, intellectual and physical fundamental values. The means of training must never become an end in themselves. Only the moulding of the ideological-soldierly attitude, the shaping of the character and the increasing of the will to act can be the meaning of any training.

4. The result of this education is the power of action of the S.A. It depends on the individual performance of the S.A. man as much as on the performance of the team, directed by the will of the unit leader.

5. The leaders of all ranks are therefore to be primarily the teachers of their men. Apart from qualities of character, technical ability is therefore also a prerequisite for leadership.

6. The performances of the individual have their full effect in the team; performance only if the training carried out by the individual leaders and N.C.O.'s is built up according to plan and uniformly.

The group leaders will therefore lay down training schemes for their groups according to the particular circumstances, on the strength of these general training directives. The equalization of the training of leaders and of men is to be taken into account in this.

7. The prerequisite for a smooth carrying out of the training laid down is discipline. This is to be continuously furthered by exactness during practice in every branch of duty and by the strict observance of the existing training directives. By no means the least important factor for the strengthening of discipline is, however, the observance of the principle that the cultivation of willingness to serve stands at the beginning of all service. Nothing does more harm to this willingness than "planless and unlimited service".

8. Service that is systematic and promises success will only be achieved if the possibilities of winter and summer training are taken into account, if the allotment of tasks to sections, platoons and companies takes place in accordance with their capabilities, and if the NCO corps is used practically, according to the standard of its performance.

9. The versatility of the training also demands a precise training schedule in accordance with the following principles:

a. No empty periods during service,
b. Meticulous preparation of the instructors and leaders for service,
c. Combining of the duties of section, platoon and company,
d. No multiplicity of individual training material.

Separating and practicing the essential points. Only what is simple promises success.

10. System and a step-by-step increase in the standard required leads to a rounded-off performance, the result of which shows itself in the team performance. Only all-round training in performance, above all in physical performance, produces the training goal of the S.A.

H. Aids to the preparation and carrying out of the training:

1. The Sports pamphlets of the Supreme S.A. Leadership.

2. Booklet of persons authorized to examine and instruct for the S.A. Sports Badge, published by the Supreme S.A. Leadership.

3. Booklet of the S.A. [Handbuch der SA.]

Published with the authority of the Supreme S.A. Leadership (Training Head Office)
The booklet of the S.A. will presumably come out at the beginning of December 1938, published by the "Offene Worte" [open words] publishers, Berlin.

4. The "S.A. Mann" [S.A. Man]
5. The "S.A. Fuehrer" [S.A. Leader]

Series of pamphlets of the Supreme S.A. Leadership:
"Der Appell" ["The Roll-Call"]—training leaflet of the Party.

6. Song books of the S.A. men.

Published by the Supreme S.A. Leadership.

TRANSLATION OF DOCUMENT D–919

Extracts from War Crime Trial—Oslo
Case MTB 345
Vol. 1.

[Pages 2 and 3]

I, LEIF UTNE, formerly Lieutenant in the Royal Norwegian Naval Reserve (54th M.T.B. Flotilla) now student of Blindern Studenterhjem, Vestra Aker, Norway, make oath and say as follows; * * *

3. The operation was known as "Operation VP 23". There is now produced and shown to me and marked "Exhibit L.U. 1" a carbon copy of the plan of the operation. This copy bears the signature of Lt. Andersen as receipt for his copy. Sabotage was not in any way part of the operation. * * *

6. All the crew wore naval caps and khaki battle dress uniforms. They also wore leather or rubber naval boots, which reached up to just below the knee, and long white, thick stockings. The Norwegians had the Norwegian red anchor sewn on their left forearm sleeves and Hull had "Royal Navy" on his battle dress. This is how they were dressed when they left. I saw them off myself.

[Page 4]

"L.U. 1"

MOST SECRET
Ref:—0/0165

Patrol "G"

Operation "V.P. 23"

Ref: Norwegian Charts 24 and 25.
Admiralty Chart 3130

Draft Plan

* * * * * * *

3. Tactics: Four "R" Mines to be laid at the earliest opportunity between RAUTINGKALVEN and BROSMESKJAERENE.

Observation post to be placed on RAUTINGKALVEN.

Torpedo attack to be carried out on Northbound shipping from the North side of RAUTINGKALVEN and on Southbound shipping from the South side. RAUTINGKALVEN is fairly high.

[Pages 7 and 8]

I, EINAR FAERO of Busk in the Fylke of Sogn and Fjordane Norway Fisherman make oath and say as follows: * * *

9. All the crew were in uniform. I remember that they were wearing battle dress. I remember too that the captain was wearing badges. I SWEAR that the contents of this my statement are true.

[Pages 11a and 11d]

I, FRITZ KARL PIETZNER, Oberleutnant, whose former home address was Leipzig, but now of Kattenfenne, Westphalen, make oath and say as follows: * * *

14. Throughout all my dealings with this matter I regarded it as a normal naval engagement with the enemy. Oblt. Nierle who was killed in Norway in 1944 talked to me at some length about the engagement. At no time did I hear any suggestion that the crew of the British M.T.B. were engaged in sabotage or any similar activity or that they were anything but normal naval personnel engaged upon a normal naval operation.

[Page 11i]

I, ERNST RUDOLPH KNOBLOCH, Oberleutnant (M.A.), whose home address is Riechenau, Kreis Zittau, Sachsen, make oath and say as follows: * * *

4. The prisoners were in uniform. As far as I can remember all but one wore brown battle dresses. One wore naval uniform with badges of rank similar to a British naval Sub-Lieutenant. They looked tired and were rather untidy.

[Pages 12 and 15]

I, EGON DRASCHER, Korvettenkapitan, whose home address was Charlotteburg 5, Maikoskistrasse 112, but of present of no fixed address make oath and say as follows: * * *

4. The particular order to which I refer above was to this effect. All saboteurs who did not fall in battle were to be handed over to the SD. As it had been established that men belonging to the Royal Norwegian MTB Flotilla were in fact nothing more than saboteurs they were to be dealt with under the Order. Die Abwehrstelle were to have the opportunity of examining prisoners before they were handed over to the SD. The Order was quite clear and I am certain that the Royal Norwegian MTB Flotilla was alone mentioned by name. * * *

14. Then, sometime in the early hours of the morning, I re-

ported to the Sea Commander (and possibly to the Admiral as well) roughly in the following terms "The examination is over, from the examination alone it is clear that we are dealing with soldiers."

[Pages 18, 19 and 20]

I, HORST PAUL KURT WALTER FANGER, Leutnant zur See of the Reserve, make oath and say as follows: * * *

3. We had to deal with seven men: one Leutnant (the commander), one first officer, one wireless operator, and four seamen. Except for the wireless operator (who was an Englishman) they were all Norwegians. The crew was uniformed, that is, they wore brown battle dresses, jumper, and rubber boots. The uniforms were distinguished in the ordinary way as Norwegian navy uniforms. The crew had their paybooks with them. * * *

7. MTB 345 had the task of sinking ships from German convoys. They answered in the negative to questions whether the crew had established communication with people living on the coast, whether they were to carry out sabotage and so on. From a book of observations placed before me (with notes on the German sea and air traffic) nothing of this sort could be derived either.

[Pages 23 and 26]

I, JOHAN ARNDT, formerly Hauptscharfuehrer in die Sicherheitpolizei whose home is in Bochum, Germany, make oath and say as follows: * * *

15. The next afternoon I went to see Blomberg and told him that the men should be treated as prisoners of war and not as saboteurs. Blomberg told me to say nothing about the case, as it was secret. Mueller had already told me this the previous day.

[Pages 49, 51 and 52]

I, KARL LIEB, formerly Obersturmbannfuehrer of the Waffen SS, whose home address was Braunschweig make oath and say as follows: * * *

"TERBOVEN"

7. *d.* An original teleprint message as follows:

"To: Reichcommissar Terboven
From Fuehrer's Headquarters.

The Fuehrer agrees to your proposal. Instructions in accordance with this have been sent to Wehrmacht Headquarters, Norway.

KEITEL"

On this message was a note in red pencil in Terboven's handwriting "To be handed to BDS to see and for action. T"

e. A sheet of paper fastened to the teleprint message specified in subparagraph *d* above containing notes in Terboven's handwriting. I cannot remember the full contents of these notes. They related to a conversation about the handing of the prisoners by the Wehrmacht to the Sicherheitspolizei. I remember that Generaloberst Falkenhorst's name was mentioned several times in the notes.

[Pages 66 and 67]

I, HANS WILHELM BLOMBERG, formerly Obersturmbannfuehrer and Kommander der Sicherheitspolizei, living at Haynstrasse 32, Hamburg, having been duly cautioned, make oath and say as follows: * * *

3. There I was informed by the Admiral that a Norwegian MTB had been captured by German naval forces near Bergen and that part of the crew had been taken prisoners. As far as I can remember seven men were taken prisoner, some of whom were wounded. The Admiral expressly stated that these men were pirates and not soldiers and that they were to be shot by the Sicherheitspolizei (SIPO) according to an order issued by the High Command of the Wehrmacht and indorsed by the Reichsicherheitshauptant (RSHA). This order was not known to me until this moment when it was shown me by the Admiral, who also told me the code word which I do not now remember. * * *

8. In the meantime, Admiral von Schrader according to what he told me, negotiated several times by telephone with Generaloberst von Falkenhorst as to whether the men were definitely to be treated as pirates or not. From my office I myself had telephone calls with the Sicherheitspolizei at Oslo (as far as I can remember with Keller) and I also spoke to Obergruppenfuehrer Rediess. The result of my telephone calls was that the men were pirates and that the execution was to take place at 6 o'clock that morning.

[Pages 82 and 83]

I, ALFRED KREUTZ, formerly Untersturmfuehrer in die Sicherheitsdienst of no fixed address having been duly cautioned make oath and say as follows: * * *

6. That night Obersturmfuehrer Oppel came to Ulven with a message from Obersturmfuehrer Blomberg that a definite order had been received for the prisoners to be shot. This was the first I had heard it. I regarded them as prisoners of war. I said therefore that I would go to speak to Blomberg about it and tell him that they should not be shot.

[Page 85 and 87]

I, ERWIN LANG, formerly Obersturmfuehrer in die Sichheitsdienst, whose home address was at Stuttgart, having been duly cautioned make oath and say as follows: * * *

14. I returned to Bergen alone during the afternoon and reported to Blomberg at about 4 o'clock. I told him that in the personal view of myself and Kreutz it would be a great pity if these were not treated as ordinary prisoners of war even though they had not acted correctly. I said that I would have done the same thing myself if I had been taken.

[Pages 12–16]

Extracts from
Proceedings Military Court
Case MTB 345
Vol. II

EXAMINATION OF EGON DRASCHER
through the interpreter by
Major Steel.

Judge Advocate (to interpreter). Tell this witness that he is going to be sworn as a witness by Major Legh. Ask him whether he has any objection to taking the oath.

A. No. * * *

Q. What was the view of Lichtenfeldt?

A. Lichtenfeldt said that it was already known at the Staff of the Admiral of the West Coast that the prisoners were members of the Royal Norwegian MTB Flotilla. He also said that an order had been issued by Hitler concerning this Flotilla, that the members of the Flotilla should be treated exactly as saboteurs. The order said that the members of the Flotilla should be, as far as not killed in action, examined and handed over to the SD. The members of this Flotilla who were taken prisoner were first of all examined by the German Navy Intelligence Service and after that handed over to the SD. * * *

Q. You had this conversation with Lichtenfeldt. Was Lichtenfeldt anxious to hand the members of the MTB over to the SD or not?

A. Lichtenfeldt said the prisoners had been handed over to the Sea Commander for further directions. He said he was to obey the Fuehrer's orders, but as he could not take over the responsibility he was to apply for further instructions from the Admiral of the West Coast. * * *

Q. Did Fanger make a report to you of what he had discovered from the prisoners?

A. During the night—I cannot recall the time now, it may have been 3, 4, or even 5—I was either rung up by Fanger or Fanger visited me personally. I cannot remember which now. He reported to me that the interrogation was finished. He said he had not found anything which might justify the conclusion of sabotage. I did not get any information about the instruments used for finding out the location of submarines. I either personally or through Fanger, reported to the Sea Commander that the interrogation was finished. I reported that as a result of the interrogation it had to be said that these prisoners were soldiers. * * *

Q. Did you know Blomberg before this occasion?

A. I did not know Blomberg at that time. The next day I went of my own free will, although I was not concerned, to see Blomberg. * * *

Q. What was Blomberg's position at that time?

A. He was Commander of the SD.

Q. Why did you go to see him?

A. It was my wish to persuade him not to take over the prisoners. I told him that in accordance with the interrogation I got the impression that they were not saboteurs and that the presuppositions for the Fuehrer's order did not apply. Blomberg told me that he was fully of my opinion and that he did not wish to take the prisoners over. Blomberg said to me "Do not think that I am afraid of the responsibility but in this case I am of your opinion. I believe the prisoners to be soldiers."

* * * * * * *

The Witness was cross-examined through the interpreter by Captain Irving as follows:

* * * * * * *

Q. You never thought of giving him evidence but as a result of your interrogation that these men be treated as prisoners of war because you said he was such a highly placed officer.

A. After the interrogation I reported the interrogation as finding the prisoners were soldiers.

Q. To whom did you report that?

A. To the Sea Commander. The report is quite clear. * * *

Q. You knew there was an order that the Norwegian MTB Flotilla were not to be treated as POWs but as saboteurs?

A. Yes, I knew that.

* * * * * * *

Q. In your official report you said it was quite clear that these men were soldiers.

A. Yes.

* * * * * * *

Q. To whom did you make your report after your interrogation?

A. I believe it was to the Sea Commander. Certainly I reported to the Staff and to Lichtenfeldt personally.

* * * * * * *

Q. Was that report in writing or an oral report?

A. First during the night orally. The written report later. It was directed chiefly to Oslo. The Sea Commander and the Admiral of the West Coast got a copy each. It was the usual way of doing it that they received copies. It is quite possible that I did not sign the written report because in the meantime my superior may have returned.

[Page 20]

* * * * * * *

The Accused BLOMBERG takes his stand at the place from which the other witnesses have given their evidence, and having been duly sworn, is examined through the interpreter by Capt. Irving as follows:

[Pages 23 and 24]

* * * * * * *

Q. Do you know what happened to the people who were shot after the execution?

A. Yes. That they should be sunk in the sea. That had been made clear beforehand, that they should be buried in secret.

* * * * * * *

Q. You have heard it stated in this court by a number of people that they came to you and said that these people who were shot were prisoners of war?

A. It was not my task to make it clear whether these people were prisoners of war or not; that was the task of the Navy, according to the Order of the Fuehrer. Only at this moment when the Navy had stated that they were not ordinary prisoners of war, then the Navy handed those people to me. It was not the common way that the Sicherheitspolizei got prisoners of war handed over to them.

[Pages 23 and 24]

* * * * * * *

Q. Did you at any time during these events, from the time you were first called into them to the time after the execution, have any doubt in your mind as to whether these men were prisoners of war or not?

A. At the moment when we got those soldiers from the Wehrmacht they could not be regarded as soldiers, whether they wore uniforms or not, as they had been handed over according to the Fuehrer's order.

Cross examined by Major STEEL

* * * * * * *

Q. You have told the Court that the responsibility for handing over these seven men was the responsibility of the Navy.

A. That follows out of the Fuehrer's order, because according to this order the Navy hands over only prisoners who are not prisoners of war; otherwise the SD do not get any prisoners of war.

TRANSLATION OF DOCUMENT D–920

COPY.

YOUR EXCELLENCY
DEAR REICH PROTECTOR,

Your last letter filled me *with such sorrow* because I could not but gather from it that not even Your Excellency is prepared to believe me—that I lost consciousness and had to call University Professor, MU Dr. JIRASEK, who remained beside my sickbed for an hour. He is coming again today, together with the specialist on internal diseases, University Professor MU Dr. PELNAR. Your Excellency may be sure that I shall always do what I can to please you! But please have mercy on me too and do not demand that I should act against the laws of the church.

Yours, [etc.]
Karl Card Kaspar, M.P.,
Prince Archbishop.

Unter Breschan, the 17 September 1940.

TRANSLATION OF DOCUMENT D–922

[Enclosure to a letter dated Munich, 29 May 1933, from Wintersberger of the County Court, Munich, to the Ministry of State for Justice concerning concentration camp Dachau.]

Document No. 3.

The following SPECIAL REGULATIONS are decreed for the persons lodged in the collecting camp of Dachau:

A. General

Para.1.
Martial law is imposed on the collecting camp of Dachau and the following regulations come into force with immediate effect:
Para.2.

In cases of attempted flight by the prisoners, the guard or escort personnel are authorised to use their weapons without prior warning.

B. Regulations regarding Punishment

Para.3.

The following punishment may be imposed on the prisoners:

1. Cells.
2. Transfer, for disciplinary reasons, within the existing classes of prisoners.
3. Death penalty.

Cells may be mild, medium, or severe. The maximum term of the first two kinds is 8 weeks, and 3 months for the severe arrest. The execution of this kind of punishment is generally in solitary confinement. In the case of medium cells, the person undergoing punishment receives a hard bed and only bread and water for food. Severe cells takes the same form as the medium, but in a completely dark cell.

Para.4.

The prisoners must show respect and obedience to every member of the Camp Commandants staff and of the guard personnel, and must obey their orders promptly. They must obey the instructions of persons charged with security and escort duties in the same manner.

Para.5.

Punishment by cells or transfer for disciplinary reasons will be imposed on the following:

1. Persons contravening para. 4. in any way.
2. Persons knowingly telling untruths to members of the camp staff or the guard personnel.
3. Persons not carrying out a given order, or carrying it out incorrectly.
4. Persons contravening hut or camp regulations.
5. Persons insulting or slandering a member of the Camp Commandant's staff or guard personnel.
6. Persons making or attempting to make a complaint which is based on untrue assertions or which deviates from the prescribed official channels for presenting a complaint.
7. Persons criticising camp installations, the instructions and orders of the Camp Commandant's staff or its subordinated authorities, or participating in discussions serving this purpose.
8. Persons collecting signatures for a joint complaint.

9. Persons refusing to work.
10. Persons in any way being in, or seeking, contact with persons outside the camp without permission.
11. Persons carrying out sabotage of any kind.

Para.6.

An attempt to commit one of the punishable actions listed in Para.5. will be punished in the same way as the actual deed.

Para.7.

Punishable actions committed under aggravating circumstances are to be punished with severe cells.

An action carries heavier punishment if it was carried out while on duty, in the presence of other prisoners, or if it caused considerable harm. If an insult or slander took place by the distribution of written or spoken statements, and if it was of such a nature as to imperil the maintenance of quiet and order in the camp.

Para.8.

Punishment by death is to be imposed on the following:

1. Persons actively opposing, or attempting to oppose, a member of the Camp Commandant's Staff or of the guard personnel.
2. Persons inciting, or attempting to incite, another prisoner to refuse obedience to a member of the Camp Commandant's staff or of the guard personnel.
3. Persons instigating, or attempting to instigate, actions listed under Figures 1 and 2.
4. Persons participating in a joint refusal of obedience, or in a joint active attack of a nature designated under Figure 1.

Para.9.

A person who has knowledge of a planned joint refusal of obedience or of a planned active attack against a member of the Camp Commandant's staff or of the guard personnel and reports it in such good time that the execution of the deed does not materialise, remains free of punishment provided he was not an instigator.

C. Division of the prisoners

* * * * * * *

Para.10.

The prisoners are divided into 3 classes.

Para.11.

The prisoners must perform work in all three classes, the length and extent of which is determined by the Camp Commandant.

Para.12.

All prisoners are allocated to Class II at first, unless any instructions to the contrary are laid down below.

Para.13.

Prisoners in Class II receive ordinary billets and suitable food.

Para.14.

Prisoners in Class II who conduct themselves well and show willingness to work may be transferred to Class I. Prisoners in this class receive good billets and sufficient food. Further favourable treatment may be accorded in this class for continued good conduct; in particular, the training and capabilities of the prisoner can be taken into account in the distribution of work.

Para.15.

Prisoners who conduct themselves badly are transferred to Class III. The prisoners in this class receive hard beds and warm meals as food to the extent of ¾ of the normal food ration.

Para.16.

Prisoners who have conducted themselves well during their stay in the camp, but whose previous activity demands specially sharp supervision in the interests of quiet and order in the camp, may also be transferred to Class III.

Para.17.

Prisoners of all classes who conduct themselves well but do not wish to work, may, on application, be excused from work, but receive during that time a hard bed and only ¾ of the food ration of the class to which the prisoner belongs.

D. Jurisdiction

* * * * * * *

Para.18.

The jurisdiction within the camp and regarding the prisoners is exercised solely by the Camp Commandant, except in cases of a violation under para. 8. All cases which fall under para. 8 are decided by a Camp Court which consists of the Camp Commandant, one or two officers to be nominated by the Camp Commandant, and an S.S. man belonging to the guard personnel. The prosecution is also to be undertaken by an S.S. man belonging to the Camp Commandant's office, who is to be nominated by the Camp Commandant. In case of an even vote, the President of the Camp Court has the casting vote. The President is the current Camp Commandant. Where reference is made to the Commandant in the above, he will be represented by his deputy during his absence.

[Doc. 1–5 (recapitulated in 6)]

1. Report of Public Prosecution Provincial Court, Nurnberg-Fuerth, to Bavarian State Ministry of Justice (dated 21.8.33), re beating to death of Pflaumer by SA.
2. Post mortem report on Pflaumer.
3. Public Prosecution Provincial Court Nurnberg-Fuerth to Provincial Court Public Prosecutor, Nurnberg (26.3.33), stating that police refuse to give evidence on above case as this might endanger the well-being of the Reich. The investigating magistrate asked the police President, Nurnberg to relieve them of their duty to maintain official secrecy, but has had no reply yet.
4. Court of Appeal Public Prosecutor to Bavarian State Ministry of Justice (26.8.33). The Police Directorate Nurnberg-Fuerth refuse permission to police officials to break official secrecy. The writer thinks it is in the interests of the State to have the trial. The public can be excluded.
5. Public prosecution Prov. Court, Nurnberg-Fuerth to Court of Appeal Public Prosecutor Nurnberg (26.8.33). Police directorate refuse permission to police officials to break official secrecy for the trial. They also need both accused to guarantee the security of the Party Rally.

[Document No. 6]

No. II 46422a.:
To the Minister of State for the Interior.

Subject: Criminal Proceedings against members of the S.A. and S.S.

I.

On the 17 August 1933 the 29 year old married mechanic, Oskar Konrad Pflaumer of Nurnberg was interrogated by the members of the S.A. Eugene Korn and Hans Stark at the S.A. guardhouse at 4, Hallplatz, Nurnberg, on the suspicion of communist intrigues and was mishandled physically by blows with rubber truncheons. Korn and Stark allege that Pflaumer tried to attack them and had for this reason been beaten with a rubber truncheon by them. After the beating, Pflaumer was brought in a motorcar to the main police station in Nurnberg. The police report on the subject states:

"Pflaumer was again brought to the main police station by two S.A. men on the 17 August 1933 at 5 o'clock. He was then taken by the prison warder Vogel to the prison cell, Pflaumer complaining of severe pains in the stomach. Prison warder Vogel saw Pflaumer about half an hour later in the prison cell, apparently unconscious. Dr. Gutemann, the deputy district doctor, who was called at once, established that death had already occurred. The cuase of death could not be established."

The juridical autopsy carried out on the 18 August 1933 showed that the skin on the seat of the corpse and on the upper part of the thighs in the form of the seat of a pair of riding breeches was of a deep bluish red colour. The skin on the soles of the feet was swollen owing to the mass of blood gathered there, so that after the blood was drained off after incision pockets nearly the size of a fist were formed. It was impossible to establish any injury or morbid changes in the stomach. It is to be assumed that Pflaumer was bent over and maltreated in the oriental way of the "Bastinado." The Provincial Court doctor also reported that, according to his findings, Pflaumer was beaten to death in a most cruel and torturing way with blunt objects.

From the type of the numerous wounds, particularly from the state of the soles of the feet which were in a bad state as a result of the bastinado, the conclusion had to be drawn that the perpetrators did not cause the injuries to the illtreated man in self-defence. The Public Prosecutor therefore applied for the institution of preliminary judicial investigations against Korn and Stark because of the suspicion of a crime of inflicting physical injuries resulting in death. The investigating judge refrained from issuing an order for arrest, since there was no danger of escape and since detention because of the danger of hushing up would no longer promise any results, a preliminary arrest was not made by the police and moreover it was doubtful whether Korn and Stark were the chief perpetrators.

On the 21 August 1933 the Police Directorate, Nurnberg-Fuerth communicated to the Provincial Court Public Prosecutor by telephone through the assessor Dr. Kiesel a wish that the case should be left in abeyance until after a consultation with Regierungsrat Dr. Martin, who was sick at the time. The Gauleadership were also interested in the case, it was said. The Provincial Court Public Prosecutor declined this request, referring to his legal obligations and the announcement of the State Ministry of Justice of the 4 August 1933 (St. Ans. No. 185).

The Police officials coming into question as witnesses declined to give evidence to the investigating judge, whereupon he requested the Police Directorate on the 23 August 1933 to relieve the officials of their obligations of official secrecy. Government Counsellor Dr. Martin, head of the Political Branch of Police Directorate, Nurnberg-Fuerth, informed the investigating judge by telephone on the 26 August 1933 that the Police Directorate would not relieve the police officials coming into question as witnesses of their duty of official secrecy because of the danger to the state, nor could he spare the two accused before the Reich Party rally, since he could not otherwise undertake any responsibility for the security of the Party Rally.

The Provincial Court Public Prosecutor requested, in agreement with the State Ministry of the Interior and the Supreme S.A. Leadership that the preconditions should be provided for the unhindered conduct of the criminal proceedings.

II.

On the 28 August 1933 at 8.30 p.m. in Hoerstein, in the district of Alzenau three Hoerstein Jews, the 19-year-old student Siegfried Rothschild, the 20-year-old merchant Arthur Hecht and the 57-year-old married butcher Moritz Loebenthal were taken by a number of members of the S.S. from Hoerstein and Aschaffenburg in a car belonging to the Aschaffenburg gas works into the open and badly mishandled by blows with rubber cudgels and fists. Loebenthal had his chin smashed according to the report of the Dettingen on Main Gendarmerie, so that he had to be taken to Aschaffenburg Hospital. The case became generally known in the Aschaffenburg district and caused great excitement amongst the population. The Local Party authorities endeavoured, in common with the Gendarmerie, to clear up the circumstances of the case.

The S.S. man Konrad Vogt of Hoerstein, who took part in the act, was remanded in custody on the Alzenau Police Court's orders. It was ascertained that the S.S. men Georg Volk, Karl Steiniger, Emil Freppon and N. Walch were further participants in the act. The examination and temporary arrest of the guilty persons living in Aschaffenburg could however not be carried out as the S.S. men of Aschaffenburg took the standpoint that the Police had nothing to say to the S.S. and in particular could not arrest any S.S. man. Their attitude was confirmed by Sturmbannfuehrer Jehl of Aschaffenburg, who attempted to obtain Vogt's release from the rural police (gendarmerie) and stated to the rural police official, Mueller, from Dettingen that should Vogt not be released severe consequences would be brought about.

Finally the Alzenau district court suspended the order of arrest against Vogt after it had been informed by the Alzenau district office that the Bavarian political police in Munich had ordered the release of the arrested S.S. man. The release of Vogt and the behaviour of the S.S. people to Aschaffenburg, especially that of Sturmbannfuehrer Jehl resulted in the cessation of the inquiry proceedings.

III.

The events described under I and II give me cause for great apprehension. They show that the repeated departmental party orders and decrees of the bearers of State authority, by which, after the victorious conclusion of the German revolution any illegal infringements of the legal rights of private individuals and individual acts based on self-granted authority are most strictly forbidden on pain of disciplinary measures are not yet receiving the general attention which is absolutely necessary, and that members of the S.A. and the S.S. still allow themselves to indulge in the inadmissible ill-treatment of opponents, which is unworthy of national socialism, without taking into consideration that, through this, the good name of the S.A. and S.S. and, not least, of the National Socialist State is gravely endangered.

The events show further that unfortunately attempts are still being made to interfere with the legal course of justice. A line has been drawn under the events of the first revolutionary months by the decree dated 2 August 1933 (GVBl. p.211) regarding the granting of an amnesty. In my announcement of 4 August 1933 (Stans. 185) published in execution of this decree, I announced it as the common will of the Bavarian provincial government and of all authoritative offices that in future every disturber of the legal order, without regard to his person and the reasons for his action, will immediately and relentlessly be dealt with in accordance with the existing laws, and I have imposed upon the public prosecutors and official attorneys, the duty of imposing this will of the Bavarian provincial government in all their measures. It would be irreconcilable with this solemn announcement if both these criminal cases mentioned were not to be carried through with all resoluteness. However, the prerequisite for this is that the offices called upon to cooperate in the clarification of the punishable acts should support the public prosecution and the law courts to the best of their ability, and that all obstructions which hamper a complete clearing up of these serious excesses and prompt punishment should be eliminated.

Especially in the case of Pflaumer, I consider it an urgent necessity, in the interest of safeguarding the authority of the State and the good name of justice and the police, to avoid even the slightest appearance that the police are shielding this crime. A danger to the Reich arising from the examination of the police officials who are under consideration as witnesses would at the most have to be taken care of if it is carried out in public session. The misgivings of the chief of the Political department of the Nurnberg-Fuerth police directorate can, however, be taken into consideration by the exclusion of the public during the trial. The carrying out of a trial can further hardly be prevented by the refusal to allow testimony. For, in view of the confession of the accused Korn and Stark to date, together with the results of the judicial autopsy, the trial will have to be instituted against them and carried out under any circumstances.

In case II (excesses in Hoerstein), by the release of the accused Vogt and the cessation of the police enquiry, and hushing up of the circumstances made possible thereby, the results of the enquiry are endangered. The public prosecution has as in duty bound, ordered the police authorities to take up the matter again, and to take steps to arrest the participants provisionally, owing to the existing danger of hushing up. I take it that the gendarmerie and police officials will proceed with the required decisiveness, and will not again let themselves be prevented from carrying out their duty by intimidation. I should otherwise be compelled to order the public prosecution to withdraw the enquiry from the hands of the gendarmerie and police and to have the case cleared up by means of interrogations by the public prosecution and the law courts. I would therefore request that the necessary measures be taken to ensure the immediate carrying out of the proceedings.

Owing to the fundamental importance which I attach to the events mentioned, and to the whole question of carrying out criminal proceedings against members of the S.A. and S.S., I have requested the Prime Minister to bring this matter up for discussion at the next meeting of the council of Ministers and to invite to it the Chief of Staff Roehm and the Police Commander Himmler too.

II. To the Prime Minister.
Reference: as above
with 2 copies.

With reference to the attached copy of my letter to the State Minister of the Interior, I would request that the point:

"Criminal proceedings against members of the S.A. and S.S." be placed on the agenda of the next meeting of the council of Ministers and that the Chief of Staff Roehm and Police Commander

Himmler be also invited to it. The other attached copy, I would request you to forward to the Reich Governor for information.

Munich 6 September 1933.
[signed] HANS FRANK.

III. Add to II 2 copies of I
IV. Submit again in Department 11.
B
Order of the Minister.

[Document No. 7]

National Socialist German Workers' Party.

Munich, Briennerstrasse 45.
Tel.No. 34901 & 58344.
Munich 26.9.33

The Deputy of the Fuehrer
Chief of Staff
B/N.

to
Minister of Justice Dr. Frank.
Munich
Bavarian Ministry of Justice

Dear Dr. Frank,

The Fuehrer's Deputy has requested me to ask you how far the inquiry in the matter of Pflaumer, Nurnberg has now got.

I would be grateful if you would inform me.

Heil.
[Signed] M. BORMANN.

[Document No. 8.]

No. * * * II 46422 L.
Subject: Pflaumer case—Nurnberg.

I. Letter to Chief of Staff M. Bormann
Munich, Briennerstr. 45.
With reference to letter of 26.9.1943 [1933 ?]

Dear Party member,

In the matter Pflaumer-Nurnberg, the preliminary judicial inquiry is still proceeding. I have advised the OSCA [Provincial Court public prosecutor] to submit the files to me immediately after the conclusion of the inquiry.

Heil Hitler
Munich 6 October 1943 [1933?]
[signed] HANS FRANK

[Document No. 9.]

The investigating magistrate reports to the president of the provincial court, Nurnberg (28.9.33) that, when he interrogated an inmate of Dachau in connection with the Pflaumer case, a criminal police official insisted on being present, although this is a breach of the code criminal procedure.

[Document No. 10.]

Political Police Commander of Bavaria to Bavarian State Minister of Justice (Hans Frank) (23.11.33.). Heydrich reports that steps have been taken to ensure that judicial investigations can be carried out in Dachau without the presence of police.

[Document No. 11.]

Public Prosecution, Prov. Court, Nurnberg-Fuerth to Court of Appeal Public Prosecutor, Nurnberg (11.12.33.). Report on results of the preliminary investigation to date. Stark has recanted his statement that he and Korn struck Pflaumer in self defense. He said that he and Korn were only trying to shield their friends by saying this. The attempt to discover which S.A. people were in the guardhouse concerned on the night in question has been unsuccessful. Attempts are being made to find out through the S.A. leadership. Korn is at present in Munich on the staff of the Supreme S.A. leadership.

[Document No. 12 (resumed in 14).]

Note of 20.1.34. (Court of Appeal Public Prosecutor, Nurnberg, to Bavarian Minister of Justice) on the result of the preliminary investigation to date (resume of 8 and 11). Also states that two other communists were beaten and maltreated in the same guardhouse. These have been interrogated by the investigating magistrate.

[Document No. 13.]

Public Prosecution Provincial Court Nurnberg-Fuerth report to Court of Appeal Public Prosecutor, Nurnberg that the preliminary investigation ended on the 19.3.34. The police directorate, Nurnberg-Fuerth, intended to apply for the quashing of the criminal proceedings. (This report was passed on to the Bavarian Minister of Justice).

[Document No. 14.]

Nurnberg, 28 April 1934.

Public Prosecution at the Provincial Court, Nurnberg-Fuerth.
Nurnberg 32.

To: The Court of Appeal public prosecutor,
at the Court of Appeal Nurnberg

Subject: Korn Eugen, merchant in Nurnberg and Stark Hans, merchant in Nurnberg. Because of bodily injuries which resulted in death.

Here: Petition of the police directorate Nurnberg-Fuerth to quash the criminal proceedings.

Enclosures: 1 file of criminal proceedings, petition of the Nurnberg-Fuerth police directorate of the 17 April 1934.

Shortly before the party rally of 1933, the (K.P.D. (communist party)) developed a specially strong disintegrating activity and planned among other things to create violent disturbances at the party rally.

Therefore, the Kriminalobersekretaer *Otto* Ottomar of the political department of the Police Directorate Nurnberg-Fuerth was commissioned by this department to carry out a large-scale action against the dangerous Communists work of agitation. As the police forces available were far from sufficient, the "S.A.-Sturm for special use", which was stationed in Nurnberg in the old Samariter Wache at the Hallplatz No. 4, was appointed to assist the police in these tasks. In this guardhouse the necessary confrontations and questionings of arrested Communists took place. The leader of this Sturm [S.A. Unit] was the then Sturmbannfuehrer [S.A. Major] Korn, Eugen, 25 years old, unmarried, commerical employee in Nurnberg. His deputy was Stark, Hans, 34-year-old divorced merchant in Nurnberg. S. A. Scharfuehrer [corporal].

In the course of this large-scale action, among others, the mechanic Oskar Konrad *Pflaumer* of Nurnberg, 29 years old and married, who was extraordinarily active as a Communist, was arrested on the 16 August 1933 and imprisoned in the main police station. During the same evening at about 23.00 hours, Pflaumer was taken by several S.A. men to the above mentioned guardhouse, on the instructions of Otto on the direct orders of Sturmbannfuehrer Korn, for confrontation with other Communists and for questioning. In this night Pflaumer was grievously illtreated by a number of S.A. men there, so that he died as a result of these illtreatments early in the morning at about 05.30 hours on the 17 August 1933. According to the juridica-medical certificate, it can be assumed by reason of the finding of the autopsy that Pflaumer, an athletically built man, had been "bent over" and that he was also bastinadoed and that the grievous sub-cutance hemorrhage caused by this caused the death of Pflaumer in the sense of action similar to shock. In their police questioning by the police directorate Nurnberg-Fuerth, Korn and Stark stated at first that they had both struck Pflaumer in self-defense; they had wanted to question Pflaumer, the two of them alone. Suddenly he had attacked them and then he even went for them with a carbine hanging there, which he succeeded in snatching.

On the 21 August 1933 preliminary investigations were started against Korn and Stark, accused in common of causing bodily injury resulting in death. The preliminary examinations were concluded on the 19 March 1934.

The result of the preliminary investigations is mainly this:

In spite of exhaustive inquiries, no solid clues which can be followed up any further have been found to prove what persons were individually concerned, during the night in question, in the questioning and illtreatment of Pflaumer. It could also not be found which S.A. men took Pflaumer to and from the S.A. guardhouse. Only the separate events which took place in the main police station before Pflaumer was taken to the S.A. guardhouse and after his return could be ascertained.

Also no sufficient actual proofs of direct participation in the illtreatment of Pflaumer could be found against the two accused Korn and Stark. Their statements made to the police, which they at first maintained when questioned by the examining magistrate and which, as such, were unworthy of belief in view of the circumstances, were recanted by the accused with the declaration that they only wanted to shield their subordinate S.A. men by their former statements, and that they did not take any part at all in the illtreatment of Pflaumer, and that they knew nothing about the illtreatments from their own knowledge. This subsequent statement is in any case not refutable, inasmuch as it cannot be definitely inferred from the former statements of the accused that they played a direct personal part in the matter.

No further actual evidence of punishable complicity in this crime could be proved against Stark. In his case, a release from criminal proceedings should therefore be applied for.

In the case against Korn no further actual proofs have been found of personal participation in the illtreatment of Pflaumer at least. But, against that, it can be accepted for sure, by reason of the investigation that Korn had known about the illtreatment of Pflaumer in the night in question, as in the case of the other Communists who were questioned there and that he tolerated Pflaumer's illtreatment counter to his duty and thus furthered it intentionally. Korn should therefore be accused at least of complicity in the crime of bodily injury resulting in death.

The police directorate Nurnberg-Fuerth is now submitting a petition to quash the proceedings.

II. Certificate of Opinion

On mature consideration, I assent to the suggestion of the police directorate.

Firstly it should be considered whether the proceedings could not be brought to an end by the release of the accused from criminal proceedings. According to the result of the preliminary investigation alone Korn ought to be accused in any case according to what is mentioned above, while only the accused Stark could be released from criminal proceedings. But furthermore an investigation or an extension of the investigation against the persons who took part in this matter (accomplices, possible instigators and helpers) and finally also against those who favoured the culprits would, according to para. 152/II ST.P.O. be occasioned.

But if the proceedings were to be carried out in this manner, it would be unavoidable—even if the public is excluded from the actual trial—that the public would get to know about the events. But this would seriously harm and shake the reputation of the S.A., the party, the police and even the National-Socialist State.

Even greater would be the damage to the German Reich which would be caused by the fact that—as can be taken for granted—foreign countries would receive information about the happenings.

I fully agree with the statements of the police directorate in this direction.

Besides these reasons, which stand out predominantly, the following is also of special importance:

The well being of the Reich and the party absolutely demanded that the extensive and dangerous agitation of the Communists, which just at that time put in an appearance, should be exposed and destroyed. And this goal had to be—especially with a view to the security of the imminent party rally—attained in the shortest possible space of time. Therefore quick and decisive action was necessary. Because of the shortage of forces of its own, the police was forced to use auxiliary forces from the S.A. The usual method of action, as laid down by the Code of Penal Procedure, did not suffice to expose the secret plans of the Communists rapidly, because of the well known method of the Communists of denying everything or making things out to be harmless. If now the revolutionary fighting spirit of the S.A. helped to expose and destroy the criminal plans of the Communists and to render the Communists themselves innocuous, it is understandable that, in order to achieve this high objective, in overgreat zeal and under the influence of the revolution which at that time was actually not yet finished methods were after all also used which no longer agreed with the law. Only in this way can the illtreatment of Pflaumer, with its bad consequences, probably be explained; for, from the whole state of affairs it can be assumed that the illtreatment of Pflaumer only took place in order to get valuable statements about the Communist activities from his knowledge, which could not be obtained without force.

Also the personality of Pflaumer himself is to be considered when dealing with the question whether the proceedings should be continued or not.

According to the just portrayal in the petition of the police directorate, Pflaumer was a Communist traitor, dangerous to the State, and a public menace, whose sentiments and conduct do not justify that for his sake the reputation of the German people and its government should suffer as a result of a sensational and painful criminal trial.

Lastly it may also be pointed out that this deed was committed relatively shortly after the coming into force of the amnesty decree of the 2 August 1933 (G.V.B.L. page 221). If it had been committed before the 26 July 1933, i.e. only 3 weeks earlier, it would have been amnestied, like a number of other political excesses. As the deed did not originate in an ignoble motive, but rather served the achievement of an exceedingly patriotic aim and the advance of the National-Socialist State, the quashing of the proceedings—also in view of the above-mentioned relation of the time of the deed to the abovementioned amnesty—does not seem incompatible with the orderly administration of criminal justice.

For all these reasons it is suggested, in connection with the petition of the police directorate, that the proceedings on account of the bodily injuries resulting in the death of the mechanic Oscar Pflaumer, as well as on account of the actions of criminal participation and acts of favouring, immediately connected with this, should be quashed, with the further result that also fresh criminal proceedings may therefore not be instituted on this account.

[signed]: HERGENROEDER.

Nr. 7183

Submitted with one further copy, one application of the police directorate Nurnberg-Fuerth of the 17 April 1934 and the files on the trial to the State Minister of Justice in Munich, further to my report of the 9 April 1934 No. 6098.

I agree with the point of view of the prosecution.

Nurnberg, the 28 April 1934.
The Public Prosecutor of the Court of Appeal,
[signed]: LEUKS.

[Document No. 15.] Munich, the 23 May 1934.

No. II 19619 a.
Free State of Bavaria
State Ministry of Justice
To the Prime Minister

Secret!

Subject: The quashing of the criminal proceedings against Eugen Korn and Hans Stark of Nurnberg. With one report, one petition, one report of the Provincial Court Public Prosecutor at the Provincial Court, Nurnberg-Fuerth, and one volume of documents.

I have the honour of enclosing the petition of the police directorate Nurnberg-Fuerth of the 17 April 1934 for the quashing of the criminal proceedings pending against Eugen Korn and Hans Stark of Nurnberg.

I request this to be forwarded to the Reich Governor in Bavaria.

[signed] HANS FRANK.

Respectfully submitted with three letters and one document to the Reich Governor in Bavaria for your kind decision.

Munich, the 1 June 1934
The Bavarian Prime Minister
[signed] Dr. SIEBERT.

[Document No. 16]

The Reich Governor in Bavaria.

Munich, the 27 June 1934.

Exercising the powers deputed to me by the President of the Reich, I hereby quash the criminal proceedings on account of the bodily injuries which resulted in the death of the mechanic Oskar Pflaumer, of Nurnberg, as well as those on account of the actions of criminal participation and acts of favouring immediately connected with it.

[signed]: FRANZ v. EPP.

[Document No. 17.]

No. 46 G.J.

To the Court of Appeal Public Prosecutor of the Court of Appeal, Nurnberg.

Subject: The quashing of the criminal proceedings against Eugen Korn and Hans Stark of Nurnberg

With reference to the report of the 28 April 1934 No. 7183.

The Reich Governor in Bavaria has used his powers of quashing by his resolution of the 27 June 1934 No. Pv.7/24.5 and has quashed the criminal proceedings on account of the bodily injuries which resulted in the death of the mechanic Oskar Pflaumer of Nurnberg as well as on account of the actions of criminal participation and acts of favouring, immediately connected with it.

This is to be known to the police directorate Nurnberg-Fuerth and to the accused Korn and Stark.

Munich the 2 July 1934.
[signed]: HANS FRANK.

Bureau for the Investigation of War Crimes.
Amsterdam.

REPORT

On January 8th 1946 there appeared before me, Johan Jacob van Geelen, Police Inspector at Amsterdam, attached to the above mentioned office, a person who stated to be named Pieter Langhorst, born on May 18th 1916 at Amsterdam, Head of the Bureau for Personal Property of enemies and traitors of Amsterdam, domiciled: Amsterdam, Earste Schinkelstraat 10 I, who stated as follows:

"I am an ex political prisoner and I have been detained in various prisons and concentration camps, finally in the Rehmsdorff camp".

At the approach of the Allied armies this camp was evacuated and the prisoners—about 2900 men—were put on transport from Rehmsdorff to Theresienstadt.

Mostly these prisoners were Czechs, Poles, Russians, and Hungarian Jews, while there were only a few Dutchmen among them.

Of these prisoners only some 500 men actually reached Theresienstadt, the others were simply killed off during the transport by the so-called "shot in the neck."

The corpses were thrown into mass graves which were filled up afterwards.

I am convinced that these graves have not yet been discovered, because they are situated in the center of woods. One must know them to find them again.

As the corpses were clothed in camp clothes bearing the registration numbers, it will most likely be possible to identify a large number of the victims. I shall be glad to cooperate in indicating these graves, so that they can be opened.

My companion in distress Jacob Bakker, domiciled: Meerhuizenstraat 7 III at Amsterdam, and L.M.P.M. Baron van Lamsweerde, domiciled: Lairessestraat 42 III at Amsterdam, who have also passed through these experiences and who can give indications regarding graves which I cannot trace, are equally fully prepared to put themselves at your disposal for this purpose.

Thereupon, on January 14th 1946, I, the reporter, heard a person who stated to be named: Jacob Bakker, born on May 6th 1917 at Sloten (Friesland), municipal official, domiciled: Meerhuizenstraat 7 III at Amsterdam, and who declared to fully endorse the statements made by Langhorst. Moreover he declared that he was prepared to cooperate in the tracing of these graves.

According to Bakker, Baron van Lamsweerde would also be prepared to cooperate in this matter.

Until the present it was not possible to hear the latter in this town.

I, the reporter, have promised Langhorst and Bakker to put this case before the Minister of Justice.

Amsterdam, January 15th 1946.
Police Inspector
[signed] J. J. van Geelen.

B. PRO JUSTIATIA
Bureau for War Crimes
Amsterdam.
Nr. 46.

Hearing of the Witness L.M.P.M. Baron van Lamsweerde, on the shooting of political prisoners, during the transport from Rehmsdorff (Germany) to Theresienstadt (Germany).

VERBAL PROCESS.

Pursuant to my report in this connection, dated January 15th 1946, I, Johan Jacob van Geelen, Police Inspector at Amsterdam, and attached to the above mentioned bureau, on Monday March 18th, 1946, heard a person, who stated to be: Leonardus Matheus Petrus Naria, Baron van Lamsweerde, born on June 5th 1919, at Nijmegen, official at the War Office, domiciled Lairessestraat 42 III at Amsterdam, and who declared as follows:

On January 12th 1943 I was arrested while trying to pass the Spanish Frontier. After having been detained in various prisons, I was transferred to the concentration camp Buchenwald in Germany, where I was detained for about a year and six months. Finally, on November 12th 1944, I was imprisoned in the concentration camp Rehmsdorff (Germany) where I stayed until my escape on April 20th 1945. At the approach of the Allied forces, the camp at Rehmsdorff was evacuated in great haste and the political prisoners of this camp were transported to the camp Theresienstadt.

At first the prisoners were transported by train and in goods-vans. We arrived by train at Marienbad, where, for causes I do not know, we had a delay of about one week. The vans with the prisoners were kept standing at the station. In the course of that week Allied bombers attacked the Marienbad station and in the confusion some 1000 prisoners escaped into the surrounding woods. Naturally the entire local service (the "S.S.", "Volkssturm" and "Hitler Jugend") was set to work to recapture the escaped prisoners and practically all prisoners, who of course wore their camp clothes and could easily be recognised, were recaptured. These prisoners, about a thousand men, were led back in groups to Marienbad station and there they were killed by the S.S. guards by a shot in the neck. As both engines of the train had been wrecked during the air attack, the prisoners had to walk all the way from Marienbad to Theresienstadt. Many among them were unable to go so far, and fell down along the road, totally exhausted; without exception these prisoners were murdered by the guards by a shot in the neck. That evening their bodies were removed with a lorry and buried in mass graves in the woods. Doubtless a good many of these corpses can still be identified, as they were clothed in camp dress, still bearing the registration numbers. However, in order to find these graves one must exactly know the road that was followed and the places of these graves, as these are situated in the center of the woods. I am fully prepared to assist in tracing them. When the transport started, I heard the S.S. guards saying that the total number of prisoners amounted to 2775. Only some of these prisoners have reached Theresienstadt. The others were murdered during the transport. Near Lobositz, about 7 kilometers from Theresienstadt, I myself escaped. The leader of the transport was the S.S.-Oberscharfuehrer Schmidt, one of the henchmen of "Buchenwald," who also there behaved in the most scandalous way towards the prisoners, and who was known to be a sadist. This is all I can declare."

I, the undersigned, confirm that the above declaration has been made up in concept, and that accordingly it has not been signed.

This verbal process was made under oath of office, signed and concluded at Amsterdam, on March 18th 1946.

The Police Inspector and Special Constable,
[signed] J. J. van Geelen.

TRANSLATION OF DOCUMENT D-925

LIST OF CONTENTS OF THE "HANDBOOK OF THE S.A." PUBLISHED WITH PERMISSION OF THE SUPREME COMMAND OF THE S.A. (MAIN OFFICE FOR EDUCATION)

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TRANSLATION OF DOCUMENT D–926

[1.] Public Prosecution at the Provincial Court
Munich II. Munich, the 2 June 1933.

To the State Ministry of Justice.
Subject: Deaths of prisoners in protective custody at the concentration camp of Dachau.

In accordance with my instructions, I had a lengthy discussion on the 1 June 1933 with the Police Commander Himmler in his office at the Police H.Q. Munich about the incident at the concentration camp Dachau, which I have already reported to the Ministry of Justice separately; in particular, I told him briefly, with the aid of the photographs from the investigation files, about the Schloss, Hausmann, Strauss and Nefzger cases of which he appeared to have been advised already. I pointed out that particularly the four abovementioned cases—in view of the result of the findings to date—offer good reason for cogent suspicion of serious punishable actions on the part of individual members of the camp guard and of camp officials, and that both the Public Prosecution and the Police authorities to whose knowledge these incidents have come are under the obligation, under the threat of heavy punishment, to carry out the criminal investigation of the abovementioned incidents without consideration for any persons whatsoever; I requested the Police Commander Himmler to assist me in this task as much as possible. I stated that I was arranging for a preliminary legal investigation to be proposed and carried out with regard to the four cases mentioned, and that I would apply for a legal warrant of arrest—because of the danger of things being hushed up—against the persons who were cogently suspected of punishable participation in these cases. I declared further that I would employ the only officials suitable for the further necessary investigations, namely, those of the Criminal Department of the Police H.Q. Munich.

At my request the Police Commander Himmler agreed to issue an order to the effect that no difficulties were to be put in the path of myself and the examining magistrate during the investigation in the camp of Dachau, and that all requested information was to be given; he also stated that he had naturally no objections to my other intentions regarding the investigation of the individual cases.

The Oberstaatsanwelt
[Provincial Court Public Prosecutor]
·[Signed] Wintersberger.

[2.] Public Prosecution at the Provincial Court,
Munich II. Munich, 11 August 1933.

To the State Ministry of Justice,
Munich.

Subject: Deaths at the concentration camp of Dachau.

Pursuant to telephone instructions, four dossiers of the Public Prosecution, Munich II, regarding the deaths at the concentration camp of Dachau of the prisoners Schloss, Hausmann, Dr. Strauss and Nefzgar, who were in protective custody, (G 851, 924, ff 33, G 866/33, G 927/33, G 928 ff/33) were sent to the State Ministry of Justice on 2.6.1933. Should the dossiers not be required at present, I would request the return of these files for the purpose of examining whether the decree of 2.8.1933 regarding the granting of immunity from punishment has to be applied.

For the Oberstaatsanwalt
[Provincial Court Public Prosecutor]
Dr. Wintrich.

---

3. [In handwriting]

By order of the Ministry of the Interior A.C.
For the attention of Ministerialdirektor Gareis or his representative.

Sent on 23 August 1933.

Subject: Application of the decree of 2.8.33, regarding the granting of immunity from punishment.

The four dossiers were handed to the Minister of the Interior for decision on 21 June 1933. I request their return in the near future for the purpose of applying the decree granting immunity from punishment.

By order Spangenberg.

I. Dr. Wendler of the Political Police, in whose possession the dossiers are, promised immediate return of the dossiers today on the occasion of a personal discussion on another matter.

M. 23.9.33.
Doebig
By order, Widmann
Signed, Lechner.

II Spoke personally with Oberfuehrer Heydrich on 9.10.1933. He will endeavour to procure the dossiers.

Doebig.

[4.]
State Ministry of the Interior
The Commander of the Political Police.
1 enclosure. Munich, 6.10.33.

To the State Ministry of Justice,
Munich.

No receipt of the four dossiers is recorded here. In spite of thorough investigation, nothing could be found out about the location of the dossiers. I shall, however, continue the inquiries and communicate immediately if the occasion arises.

By order
[Signed] Heydrich

[Handwritten notes]
Dossiers reported on various occasions with the Political Police Offices, who have promised that they will be received by the Ministry of the Interior.

26.5.34.
Stepp

1. Reported the matter to the Minister. Submit again in two months.
25.9.34.
Doebig

Landesgerichtsrat Dr. Stepp has been requested to arrange for inquiries to continue, and to report about their result.

20.1.1935.
Doebig

The matter was discussed with the OSTW [Provincial Court Public Prosecutor] at the Provincial Court Munich II. He will endeavour to procure the return of the missing dossiers with the help of Landesgerichtsrat Dr. Stepp who has been appointed Chief of the Bavarian Political Police in the meantime.

Munich, 18 January 1935.

Doebig.

[Docs. 5–8
Two letters from the Public Prosecutor, Provincial Court, Munich II and two affidavits re the death of Hugo Handschuch, a prisoner in protective custody, at Dachau camp. (recapitulation in Doc. 10).]

[9.]

Gestapo—Regional State Police H.Q. Duesseldorf.
Received: 17th May 1943

Berlin Nue 89 911
17.5.43 11,45 Tess-

To:

the Regional Commanders of the Security Police and of the S.D. Oslo, the Hague, Paris and
the Commissioner of the Security Police and of the SD Brussels.
the Regional and Subregional State Police H.Q.s Kiel, Schwerin, Stettin, Koeslin, Schneidemuehl, Frankfort/Oder, Berlin, Potsdam, Dresden, Leipzig, Weimar, Magdeburg, Halle, Brunswick, Kassel, Frankfort/Main, Cologne, Duesseldorf, Dortmund, Muenster, Hannover, Wilhelmshaven and Bremen, Hamburg.—

Subject: Dispatch of prisoners in protective custody to the concentration camp Neuengamme.

Previous correspondence: none.

In order to prevent unnecessary transport detours, I request that in future only the concentration camp of Neuengamme be given as the destination of transports of prisoners in protective custody who are to be sent to the concentration camp of Neuengamme, and not the Regional State Police H.Q. Hamburg and such like, and that the form accompanying the transport be filled in accordingly. The passing of these transports through the Police prisons of the Subregional HQ. Hamburg is not practicable owing to the continuous crowding of these police prisons and in view of the tense, air situation and only produces a considerable amount of extra work.

I request therefore that this practice be desisted from in future.

Additional note for the Subregional H.Q, Hamburg. Your letter of 28.4. 1943 II D —433/43 is thus dealt with.

R S H A Berlin IV C 2
General No. 43 133
By order:
[sgd.]: Dr. Berndorff
SS.-Obersturmbannfuehrer

II L—D 10/1 Diary No. 216/43

Duesseldorf, the 18th May 1943

1.) It is not necessary to pass this order to the subordinate offices, as the sending of transports is the responsibility of the local protective custody office.
2.) II D *in this building*
sent for information and observance.
3.) File under II L–D 10/1

[signature illegible]

[10.]
No. 67 GF

URGENT AND SECRET.

To be dispatched by special messenger, under double cover.

I. To the Prime Minister.
Subject: *Quashing of Criminal Proceedings.*

A merchant's wife, Sophie Handschuch, of Munich, in a written statement received by the Public Prosecution at the Provincial Court, Munich II, on the 18th September 1933, stated that her son, Hugo Handschuch, taken into protective custody on the 23rd August 1923, died of heart failure in Dachau camp on the 2nd September 1933. In the inquest certificate, heart failure following on the concussion of the brain was given as the cause of death. The body was not shown to the relatives and was handed over only after great difficulties and on condition that the coffin would not be reopened. The coffin was so firmly nailed down that it was impossible to reopen it. The writer asked that the coffin be opened and a judicial post mortem held, as she wanted the body identified and the cause of death established.

In order to clear up the state of affairs, the Provincial Court

Public Prosecutor at the Provincial Court, Munich II, at first personally questioned the plaintiff, Sophie Handschuch, and the fiancee of the deceased, Thea Kink. From their evidence, the assumption seemed justified that already on the day of his arrest Handschuch was badly physically maltreated in the Braunhaus in Munich, and in connection with the further established fact that the relatives of the dead man were expressly refused permission to view the body, sufficient grounds were given for the suspicion that Handschuch did not die a natural death. In order to establish the cause of death without any doubts, the body was exhumed in Dachau on the 23rd September 1933, and a judicial autopsy carried out on the orders of the Provincial Court Public Prosecutor. It showed that death was caused by injury to the brain as a result of hemorrhage of the soft membrane of the brain and that these hemorrhages originated from blows with a blunt object which hit the skull particularly in the region of the left temple and that of the back of the head. In addition, extensive bleeding was established in the region of the left cheek, the right shoulder and the left upper arm of the corpse, in the regions of the seat, the thigh, and on the lower part of the left thigh, as a result of blows with a blunt instrument on the body of the deceased while still alive. The findings of the judicial autopsy gave grounds for assuming outside responsibility.

The Public Prosecution has requested that the Bavarian Political Police undertake the necessary enquiries.

II

In the forenoon of the 19th October, the Public Prosecution at the Provincial Court, Munich II, was informed by telephone by the Bavarian Political Police that in the afternoon of the 17th October 1933, Wilhelm Franz, of Munich, a prisoner in protective custody, born on the 5th June 1909, and, on the night of the 17th–18th October 1933, Dr. Delvin Katz, of Nurnberg, a prisoner in protective custody, born on the 3rd August 1887, hanged themselves in their military confinement cells in Dachau concentration camp. The Public Prosecution ordered the same morning a legal examination to be held in the camp, followed by a post mortem. The corpses were in a locked camp shed lying on stretchers, and with the exception of the feet were totally undressed. In Franz's cell, fresh blood spots and splashes were observed on the wooden plank bed. It was established in Katz's cell that the chain mechanism for opening the window was broken off in part and replaced by a cord. In consequence of the examination and the post-mortem, a judicial autopsy was carried out on both corpses on the 20th October 1933. With the consent of the officiating judge, the autopsy was witnessed by the camp doctor, Dr. Meixner, and the camp adjutant, Dr. Scheingraber.

The autopsy gave grounds suspecting, in both corpses, force by an outside hand. According to preliminary opinion of both law court doctors provincial Court doctor Dr. Flamm and Court doctor Dr. Niedenthal, death by suffocation as a result of strangulation and throttling was established in both cases. The strangulation marks found on the neck do not correspond to observations in the case of persons hanged. In respect of Franz's body, it is also stated in the preliminary opinion that fat embolism is not prima-facie to be excluded as a contributing cause of death. Fresh weals on the head covered with hair as well as particularly numerous ones on the body and on the arms, with extensive bleeding and destruction of the fatty tissues were established on this corpse. Apart from injuries on the neck, also Katz's body showed various signs of drying up and rubbing off of the skin off the head and one separation of the skin.

At the time of the examination already, the Public Prosecution had demanded the production of both belts with which Franz and Katz had allegedly hanged themselves; they could not be handed over at once. The Dachau lower Court had ordered the confiscation of the belts in accordance with the application. Up till now the objects confiscated had not yet been received by the Public Prosecution.

III

In each case I informed the Prime Minister and, through him the Reich Governor in Bavaria, as well as the State Minister of the Interior of the Public Prosecution's reports on the cases quoted in I and II.

In a letter of the 29th November 1933 addressed to me, the State Minister of the Interior proposed that, for State political reasons, the inquiry pending at the Public Prosecution of the Provincial Court, Munich II, into the death of Hugo Handschuch, Wilhelm Franz and Dr. Delvin Katz prisoners in protective custody should be quashed. As a reason it is pointed out that the conducting of investigations would cause great harm to the prestige of the National Socialist State, since these proceedings would be directed against members of the SA and SS and thus the SA and SS as the chief protagonists of the National Socialist State would be immediately affected.

I permit myself to state on the legal side of the proposal that according to Para. I sub-para. 1, No. 5 of the law re Reich governors of the 7th April 1933 in the version of the laws of the 25th April and 26th May 1933 (RGBl. I, p. 225, 293) the Reich governor has the right of pardoning. The right of pardoning in the sense of the law re Reich governors embraces the right both of remitting an individual penalty and of quashing individual proceedings, pending so far as the right of pardoning is an administrative act according to the constitution of the province and not a legislative act. I therefore beg to refer to the enclosed copy of a letter from the Reich Minister of the Interior of the 4th September No. IB 1–15/11.8. The constitutional deed of the Free State of Bavaria of the 14th August 1919 forbade the quashing of criminal investigations. The law re the quashing of criminal investigations of the 2nd August 1933 (GVBl. p. 211) removed the ban on quashing. According to the Bavarian provincial law at present valid, the legal possibility therefore exists of quashing individual criminal proceedings by means of an administrative act in the form of a pardon. According to the law re Reich governors this right is vested exclusively in the Reich governor in Bavaria.

In view of this legal position, I beg you to submit the proposal of the State Minister of the Interior to the Council of Ministers and to place it on the agenda of the next meeting of the Council of Ministers; I presume that the State Minister of the Interior will himself present the proposal in the Council of Ministers.

I beg you to forward the enclosed copy to the Reich Governor in Bavaria. The State Ministers and State secretaries have received copies.

II To the State Minister of the Interior with reference to letter of the 29. 11. 1933.

I have the honour of sending you as an enclosure a copy of my letter to the Prime Minister for your notice.

Munich, the 2nd December 1933.
[sgd] Dr. H. Franck.

III A copy of I together with one copy of the letter of the Reich Minister of the Interior of the 4. 9. 1933 is to be forwarded to the other State Ministers and State secretaries for their notice.

IV To be resubmitted in Ref 11.

[Sgd] Spangenberger
Degen Doebig.

[11. Proposal made by the Minister of the Interior to quash the inquiry into the deaths of the protective custody prisoners Handschuch, Franz and Katz]

Munich, 29th Nov. 1933

The Bavarian State Minister of the Interior

To the State Minister of Justice, Munich
Munich,

Dear Party comrade and State Minister, Dr. Frank,

The Commander of the Political Police in the Ministry of the Interior presented to you on the 18th Nov 1933 a proposal according to which the inquiry into the cases of the prisoners in protective custody, Hugo Handschuch, Wilhelm Franz and Delvin Katz should be quashed for state political reasons. In connection with this case, you sent to me the liaison man of the State Ministry of Justice with the Bavarian Political Police, Public Prosecutor Dr. Stepp. Meanwhile, in a discussion with the commander of the Political Police Reichsfuehrer SS Himmler, I have ascertained once more that to carry out this inquiry would cause considerable damage to the reputation of the National Socialist State, because this inquiry would be directed against members of the SA and SS and thus the SA and the SS, as the main props of the National Socialist State would be directly affected. For these reasons I support the proposal for quashing the inquiry presented to you on the 18th Nov 1933 by the Commander of the Political Police in the State Ministry of the Interior.

According to what the Commander of the Political Police, Reichsfuehrer SS Himmler, tells me, he also had a long talk with you concerning this case. The Council of Ministers has already discussed the matter. The outcome was that the Ministry of Justice sent a representative to the Political Police. I hope firmly that these are the last cases which will force the Governor and the Council of Ministers to intervene in the interests of the State. I made a clear statement to the organs of the Political Police to the effect that in future I could no longer express my willingness to make a proposal for quashing inquiries in similar cases. On the other hand, I do not deny the absolute necessity for giving the supervisory organs in the concentration camp the authority which would enable them, in cases either of actual attacks or of opposition or serious breaches of concentration camp discipline, to intervene by the immediate use of firearms or by shooting according to martial law. This is the only possible way to maintain absolute order in the concentration camp which, as is well known contains almost exclusively criminal types.

I would be very grateful, dear Minister of Justice, if you would express your opinion.

Heil Hitler
[signed]: Adolf Wagner.

Copy to:
1) The Prime Minister.
2) The commander of the Bavarian Political Police.

[12. Concerning DACHAU concentration camp.]

I. Note

The proposal of the State Minister of the Interior that the inquiry pending at the public prosecution at the Provincial Court Munich II, into the death of the prisoners Handschuch, Franz and Katz who were in protective custody be quashed was the subject of a debate during the meeting of the Council of Ministers of the 5th Dec 1933. As a result, the State Minister of Justice communicated the following to the undersigned official:

The criminal proceedings regarding the happenings in the Dachau concentration camp are to be continued with all determination. The facts are to be cleared up with the utmost speed. If necessary the provincial police are to be brought in to help. Any attempts to hush up the case must be opposed by the means laid down.

The Provincial Court public prosecutor at the Provincial Court, Munich II, was instructed, in accordance with the decision of the Council of Ministers, to continue the proceedings immediately and with all energy and to bring about the clearing up of the incidents as soon as possible. He will apply for Court investigations and see to their being completed rapidly, in the case of Franz and Katz immediately, and in the case of Handschuch after the arrival of the files from the political police, who have been requested to return them. He (the public prosecutor) has been instructed to keep the State Ministry of Justice informed about the course of the proceedings and to produce the files with an attached report about the result of the investigation and with the intended further action in the case, after the completion of the investigation. The public prosecutor at the Court of Appeal in Munich has been notified and instructed that he also for his part, is to pay particular attention to the proceedings. The preliminary investigations will probably be conducted by Provincial Court Counsellor Kissner, the district of Dachau being his sphere of competence.

The liaison man with the Political Police, 1st public prosecutor Stepp, was instructed, according to orders, to communicate the decision of the Council of Ministers to the commander of the Political Police Himmler and to the chief of the Bavarian Political Police.

[signed] M.

II. Presented to the State Ministers:

with the request that he take note. The note of the 1st public prosecutor, Dr. Stepp, regarding the carrying out of his instructions is attached with the request that note be taken.

Munich, the 6th Dec. 1933
Doebig.

By order of Ministerial Counsellor Doebig, I communicated to the Reichsfuehrer SS Himmler, the decision taken yesterday by the Council of Ministers concerning the cases of Handschuch etc. The Reichsfuehrer SS told me that the matter greatly concerned the chief of staff of the SA, Reich Minister Roehm. He (Himmler) had to discuss the matter with the latter first. He asked me to drive with him to the office of the Reich Governor to hear his views after a discussion with the Chief of Staff. I waited in the anteroom of the Chief of Staff until Reichsfuehrer SS Himmler asked me to go with him to the Chief of Staff. The Chief of Staff Roehm asked me then to communicate on his behalf his reply to the State Minister of Justice, which at the request of Ministerial Counsellor Doebig, I am writing down from memory:

The Dachau camp is a camp for prisoners who are in protective custody and who were imprisoned on political grounds. The incidents concerned are of a political nature and under all circumstances the political authorities must decide first about them. To my mind they are not suited to be dealt with by the legal authorities. This is my opinion as Chief of Staff and also as a Reich Minister who is interested in the Reich not suffering politically because of the proceedings in question.

I shall get the Reichsfuehrer SS to issue an order that no investigating authorities may enter the camp for the time being and that people in the camp may also not be interrogated for the time being. Tomorrow I shall discuss the matter with the Fuehrer and ask him for his decision.

Munich, the 6th Dec 1933
[signed] Dr. Walther Stepp.

[Handwritten note]

1. The Court of Appeal Public Prosecution Munich, was in-

structed by a directive from the Minister to refrain for the time being from making an application for the opening of preliminary investigations.

Munich, the 7th Dec 1933
[sgd]: Doebig.

[13.]
The Public Prosecution at the Provincial Court, Munich II.
Munich, the 30th July 1934

To the Court of Appeal Public Prosecutor at the Court of Appeal.
Munich.
Subject: Death of the prisoners in protective custody Wilhelm Franz and Dr Katz in the Dachau camp.

With regard to the above mentioned matter, I have as instructed, requested the Bavarian Political Police by letter of 12. 7. 1934 to clear up the matter further in conjunction with the Commandant's office of the concentration camp of Dachau, and to endeavour to find out the persons who are suspected of having been the culprits. In this request I mentioned also that I have not yet received the legally confiscated instruments of suicide (belt and braces) of the dead men.

The Political Police have apparently transmitted the files without any written directions to the Political Department of the Concentration camp of Dachau the latter has returned the files to the Political Police accompanied by a letter of 25. 7. 1934. the first paragraph of this letter reads:

"The latest application for production of evidence from the Public Prosecution Munich II shows what far-fetched means are employed in order to saddle the concentration camp of Dachau with *allegedly* perpetrated crimes."

In the second paragraph of the letter regret is expressed that the two dead men were able by their suicide to escape impending punishment for smuggling letters. The third paragraph refers to the confiscation and reads:

"After the two corpses had been dissected according to law and had been released, the commandant's staff had no further interest in the preservation of the instruments with which they had hanged themselves. The commandant's staff do not belong to those objectionable Kulturmenscher [cultural people] who preserve such articles as souvenirs, as was done in America recently in the Dillinger case."

The letter is signed on behalf of the camp commandant by SS. Obersturmbannfuehrer Leppert.

The Bavarian Political Police sent me the dossiers on 27. 7. 1934 together with this letter from camp commandant's office without further comment. Neither the Political Police nor the camp commandant's staff appear inclined to carry out further suitable investigations in the matter in question as requested by me. I therefore regard it as necessary that the required instructions be issued to the Bavarian Political Police and to the camp commandant's office by a higher authority, if it is intended to carry out further investigations on the matter, as these authorities are not likely to carry out any requests from the Public Prosecutor, Munich.

Apart from this, I regard it also as urgently necessary in the interests of the administration of justice—in view of the most recent decree of the Reich Chancellor and Reich Minister of Justice—that the required action be taken by a higher authority regarding the outrageous allegations against the Public Prosecution, Munich II, which were made in the letter of the camp commandant's office. Personally I do not wish to apply for proceedings for insult.

The Oberstaatsamwalt
[signed] Wintersberger.

Submitted to the State Ministry of Justice together with 5 more copies and files.

With regard to the allegations of the Deputy camp commandant, Obersturmbannfuehrer Lippert, in his letter of 25. 7. 1934, I beg to draw attention to the enclosed file G2138/33 of the Public Prosecution at the Provincial Court, Munich II which shows that the request of the Oberstaatsamwalt—sheet 19 of the file—arose from the impartial observance of his official duty.

Munich, 31st July 1934
The Generalstaatsamwalt at the Court of Appeal
[Court of Appeal Public Prosecutor]
[signed] Lotrer.

[Handwritten note]

1. The matter was reported to the Minister.
   The letter in question was withdrawn by the camp of Dachau.
2. To Ministerrat (Ministerial Counsellor) Doebig

Munich 7. 9. 1934.
Stepp.

[14.]

Public Prosecution at the Provincial Court Munich II

Munich the 27th September 1934

To the Generalstaatsumwalt (Court of Appeal Public Prosecutor) at the Court of Appeal Munich.

Subject: Death of the prisoners in protective custody Wilhelm Franz and Dr. Katz in the concentration camp of Dachau.

I have stopped the proceedings, as the investigations have not produced sufficient grounds for the assumption of outside guilt in the deaths of the two prisoners in protective custody.

The Oberstaatsumwalt

Dr. Barnickel.

TRANSLATION OF DOCUMENT D-930

I, Dr. Wilhelm Hoegner, Bavarian Prime Minister, Munich, 7 Prinzregenten Strasse, hereby declare the following under oath for the purpose of submitting this declaration to the International Military Tribunal in Nurnberg:

The two pamphlets—Part I and Part II—submitted to me

"Hitler and Kahr

the Bavarian would-be Napoleons of 1923, a scandal of justice, exposed in the committee of inquiry of the Bavarian Provincial Diet" were written by me.

At that time I was assistant reporter of the committee of inquiry of the Bavarian Provincial Diet on the Hitler Putsch of 1923. All the facts mentioned in these pamphlets originate from court documents through which I worked personally and from which I made extracts. That also applies especially to the military orders and instructions, partly quoted literally in the pamphlets.

My activity in the writing of the pamphlets mainly consisted in collecting, sifting and grouping the material and in establishing the necessary connection between the individual parts.

The SA has been known to me since their first appearance here in Munich and Bavaria, i.e. since about the year 1921. As a politician, I followed their activities very closely. Originally the SA was a body to protect the meetings of the NSDAP. Already in this capacity they were provided with steel whips, leather whips and some of them also with firearms. They ruthlessly terrorised people present at the meetings if they made themselves noticeable, by interruption. Already in 1922—I believe it was the so-called

"German day of Coburg"—the SA with its armed gangs ruled the streets, made unexpected attacks on the peaceful population—especially on persons of different political opinions—and drove in lorries to all events arranged by the National Socialist movement. Already in the year 1922 there were conflicts with the government in the Bavarian Diet because of the scenes in Coburg. During the succeeding period the government proved itself to be pretty powerless against the doings of the SA. At a consecration of the colours of the SA, which I believe took place in 1923, the government had to proclaim a sort of state of emergency to keep these bands in order to some extent. Also during the succeeding period the Bavarian government was continuously under pressure from Hitler's armed bands and his military accomplices among whom Goering stood out particularly by issuing threats of violence. The actions of the SA were all the more dangerous as it was trained by the Reichswehr (German Armed Forces before 1933) as a kind of auxiliary force and in part had its own secret arsenals, in part had access to the secret arsenals of the Reichswehr. This military arming and training was without doubt a bad breach of the Peace Treaty of Versailles. The extent and the type of the military training of the SA permits the deduction that it was intended as an auxiliary force in case of military conflicts with foreign countries. Every SA man could and indeed had to assume, and also knew from the talks and the mobilizations that preparations for an emergency were concerned. The SA also burned to settle accounts with their political opponents, i.e. to render them harmless in a "night of the long knives" and to help Hitler to get into power by force, and they acted that way too. In the best known attempt to achieve this, the 8 and 9 November 1923, the SA played a distinguished part. At the same opportunity Ludendorff was after all also earmarked to loose the national war against France. Nobody who joined the SA at that time could have the slightest doubts about the final goal of this force.

The SA did not change their behaviour later on either. Especially after 1930 it distinguished itself in the conflicts with its political opponents by its violence and ruthlessness. After the coming into power of the National Socialists, the SA broke into the houses of political opponents as a heavily armed horde, ill-treated and arrested them. It is known to me that the SA also played an evil part in the persecutions of the Jews in April 1933. The same was the case in the occupation of the Trade's Union building on the 2 May 1933. Already before that, the chairman of the Munich Trade's Unions, Gustav Schiefer had actually been attacked by members of the SA in the Trade's Union building and so seriously illtreated that he had to spend a long time in the hospital.

Immediately after the coming into power the SA had already committed serious excesses against other political parties also. I, myself was an eyewitness when, on the evening of the 9 March 1933, the SA occupied the building of the Social Democratic newspaper the "Munchener Post" in Munich, threw typewriters, tables, chairs, documents, newspapers and the domestic furniture of the publishing director Muerriger out of the windows into the street and set fire to it. All these excesses were, according to my observation, not only not condemned, but they were even welcomed and approved by the members of the SA. What I saw myself here in Munich, occurred in a similar way, according to reliable reports, in other places too. The SS appeared here in Munich at first as Hitler's bodyguard. At the time of the seizure of power in Munich already—on the 9 March 1933—it played an important part. It occupied, namely, the Political Police, and established itself there as such under Himmler's and Heydrich's supreme command. I myself witnessed how they transported men arrested for their opposition to National Socialism, to the concentration camp of Dachau in lorries. There very serious illtreatment took place. I myself, my wife and my Party friends saw the back of one of my political friends, the present Burgomaster of Erlangen, Poeschke, who was released on the 28 or 29 April 1933 as an elected deputy for the sessions of the Diet. His back from the neck down was cut up by bloody weals; numerous streams of blood were visible. Poeschke could hardly move and had to enter a hospital. He told dreadful things about the illtreatment there.

Before my departure from Germany the former communist Diet Deputies Dressel and Schlaffer were murdered in the concentration camp of Dachau—probably in May, 1933. Whether by SS or the SA, I do not remember for certain. I knew the incident very well because I complained about it to the Reich Minister of Justice Dr. Guertner in Berlin. One day in April 1933 the SS, as political police, making use of the service motorcar of the Police Directorate in Munich, went across the Austrian border near Kufstein and murdered in an inn in Durchholzen near Walchsee a certain Dr. Bell who was said to have disclosed NSDAP secrets to political opponents of this movement.

The gross excesses of the SA and SS in the service of the NSDAP were accomplished so publicly that the whole population knew of them. Everyone who entered these organisations as a member knew about such excesses.

The above statements are true according to the best of my knowledge and I am prepared to swear to them.

Dr. Wilhelm Hoegner
Bavarian Prime Minister.

TRANSLATION OF DOCUMENT D–936

Copy.
B 745—753/33.

Decision.

The proceedings against the nine accused fall under the decree of the Cabinet of the Bavarian Free State regarding the granting of amnesty, dated the 2.8.1933 and are therefore to be suspended.

Reasons.

All the persons suspected of the deeds are without doubt members of the SA. It is known that the injured man, Dr. Schloegl, was a bitter opponent of the NSDAP, at any rate, before the National Socialist revolution. This is clear also from the newspaper "Der Niederbayerische Bauer" [The Lower Bavarian Peasant] which has been attached to the file by the legal adviser of the SA and was formerly run by Dr. Schloegl, and which fought the NSDAP with the most serious insults. It appears from the examination of the witness Rampf, which took place on 28.6.33, that Dr. Schloegl was seen with former leading personalities of the Bavarian People's Party shortly before the attacks, from which it was assumed that meetings of a political nature had been held.

There is no doubt, therefore, that the deeds were committed for political reasons. They were committed also to ensure the success of the National Socialist State. It may be that the destruction of the furniture was intended to serve the purpose of a house search, in which previously imbibed alcohol may have played a harmful part in the manner of carrying out that decision; it may be that, by the destruction of the furniture—certainly, however, by the illtreatment—it was intended to restrain Dr. Schloegl from further political activity; no other motive for the deeds can be found. The Supreme S.A. leadership have also examined these questions. In their letter of 14.9.33 they announce that the S.A. men in question were bound to see, and did see, in the possibility of Dr. Schloegl forcing his way into the National Socialist movement, a danger for the movement and thus for the nation itself. Nor were the deeds committed for the purpose of personal profit or other low motives. The Supreme S.A. leadership state on this point: "The deed and intention of the S.A. men were only aimed at the wellbeing of the National Socialist movement. The political reason and the purity of the intention is thus beyond doubt."

The *manner of execution* must remain immaterial. Nobody will probably be able to approve of it in itself. According to the decree of amnesty, the purpose pursued by the perpetrators is alone decisive. (cf, in this connection the Decision of the Court of Appeal of 5.9.33 in DRZ 1933, page 688). Nor can one differentiate between the deeds committed against Dr. Schloegl and those committed against Frl. Neudecker and Frau Kulzer. With the purpose of settling accounts with Dr. Schloegl in the way they had selected, these perpetrators had come across these women. They had perforce to break Frau Kulzer's domestic peace in order to reach Dr. Schloegl at all. It was similarly fully in pursuance of their purpose that they wished to prevent escape, or even any assumed opposition, by the Neudecker woman, even if here too the deeds exceeded what was absolutely necessary. The application of the decree of amnesty has therefore been rightly approved by the Prosecution in its order of suspension of the 19.9.33. Since the High Court agrees to this decision and the injured persons and the Public Prosecutor have applied for a decision of the Court, in accordance with Para.2, sub-para.2 of the Decree of 2.8.33, one had to be reached, as has now been done.

Landshut, 4.12.1933.
[sgd] Kuffer
Amtsgerichtsrat.

TRANSLATION OF DOCUMENT D-939

Protocol
of the evidence of a witness taken by the Public Prosecutor and member of the Central Committee for the Investigation of German Crimes in Poland, Dr. Stanislaw Piotrowski, in Nurnberg on the 29 July 1946.

By virtue of the regulations of Polish Law, the witness was informed of the responsibility for false testimony and the oath was administered.

Name and first name:	Eizenberg, Israel.
Age:	31
Place of birth:	Warsaw
Occupation:	electro-mechanic.
Religion:	Jewish
Address:	Stuttgart W. Reinsburgstr. 203
Relationship to the Parties:	—

The witness declared the following: I lived in Lublin and from there I was sent to Maidanek in the beginning of 1942. However, as a prisoner I continued to work for the Germans, who employed me as an expert for electro-mechanical jobs on the various SS houses and SS offices in Lublin. I worked as an electromechanic in the palace building of the SS and Police Chief Globocnik and in the headquarters of the SS in Lublin, Warschauer street 21. The Waffen SS were also there. On the outer wall the notice "SS-Waffen" could be seen and on the pass which I received at the entrance, the words "SS-Waffen" were also marked. I knew all the officers, for instance Oberscharfuehrer Riedel, Rottenfuehrer Mohrwinkel, Unterscharfuehrer Schrammek. I know that the leaders of the SS Waffen as well as the regiment of the SS Waffen whose seat was in the same building where I worked, participated directly in all the expulsions of the Jews from the district of Lublin. In these expulsions thousands of persons were killed on the spot and the rest sent away for extermination. I myself saw how in the winter of 1941 the "SS-Waffen" of 21, Warschauer Street participated in the deportation of some hundred Jews to Maidanek, when several persons were killed on the spot. At that time my father was also deported because of his long beard, as this action mainly concerned Jews with beards. I know that Rottenfuehrer Mohrwinkel directed this action and was promoted to the rank of Untersturmfuehrer for it. I worked for the "Waffen SS" till November 1942, i.e. until I was transported to Radom. The same persons participated the whole time in all the crimes of the SS in Lublin and district. I wish to point out that these SS men kept their horses in the stables on the aerodrome, where there was a notice: "Mounted Regiment SS Waffen" (Reiter Regiment SS-Waffen). I myself worked on the illumination of this notice. These SS men were also easily recognized during the actions by the spurs on their boots.

[Signature illegible]

The protocol has been read out to me.

TRANSLATION OF DOCUMENT D-940

The Crimes of the 7th SS Division "Prinz Eugen" in Orna Gora (Montenegro)

The various German divisions operating in the area of occupied Jugoslavia marked their path by traces of devastation and annihilation of the peaceful population which will testify to the criminal character of the German conduct of the war for many years to come. The operations of the German divisions were in reality primitive expeditions. They destroyed and burned down whole villages and exterminated the civil population in a barbarous manner, without any military necessity whatsoever.

The 7th SS Division "Prinz Eugen" is famed for its cruelty. Its very creation alone proves that it was an instrument for committing crimes; it was formed by the Regional Commander of Police in Serbia, SS Obergruppenfuehrer, and like all SS formations, was subordinated to the Reichsfuehrer SS Himmler. Furthermore, the men of this division were especially suited to the execution of such plans, for they consisted chiefly of persons of German race from the Banat, who played their criminal part also as a fifth column before the war, and, after the collapse, by participating in the crimes of Kraginjevac in the service of the Gestapo etc.

In October of the year 1942 the division "Prinz Eugen" commenced its criminal march through the Yugoslav Provinces. Wherever it passed—through Serbia, through Bosnia and Herzegorina, through Lika and Banija so through Dalmatia — everywhere it left behind scenes of conflagration and devastation and the bodies of innocent men, women and children who had been burned in the houses.

At the end of May 1943 the division "Prinz Eugen" came to Montenegro to the area of Miksic in order to take part in the fifth enemy offensive in conjunction with the Italian troops. This offensive was called offensive "Black" (Schwarz) by the German occupying forces. Proceeding from Herzegorina parts of the division fell upon the peaceful villages of the Kiksic district: Gornje, Polje, Rastovac, Orah, Granice, Praga, Jasenovo Polje, Duge and Dubocka.

Immediately after its invasion, this formation, opening fire with all its arms, commenced to commit outrageous crimes on the peaceful villages for no reason at all. Everything they came across they burned down, murdered and pillaged. The officers and men of the SS division "Prinz Eugen" committed crimes of an outrageous cruelty on this occasion. The victims were shot, slaughtered and tortured, or burnt to death in burning houses. Where a victim was found not in his house, but on the road or in the fields some distance away, he was murdered and burned there. Infants with their mothers, pregnant women and frail old people were also murdered. In short, every civilian met by these troops in these villages was murdered. In many cases, whole families who, not expecting such treatment or lacking the time for escape, had remained quietly in their homes, were annihilated and murdered. Whole families were thrown into burning houses in many cases and thus burned.

It has been established from the investigations entered upon that 121 persons, mostly women, and including 30 persons aged 60–92 years, and 29 children of ages ranging from 6 months to 14 years, were executed on this occasion in the horrible manner narrated above.

The villages of Gornje Polje, Duga, Rastovac, Orah, Vrbive, Grance, Prag Jasenovo Polje were burned down and razed to the ground. On the basis of the data collected so far, 262 households with all furniture, subsidiary buildings and all contents were completely destroyed in these villages.

Besides this, the German soldiers drove all the cattle away from all the villages and, before burning them down, stole household utensils, clothing, food, jewelry, money etc. This ruthless destruction and plundering caused total damage amounting to 16,144,240 Dinars.

For all of these most serious war crimes those responsible besides the actual culprits—the members of the SS Division "Prinz Eugen"—are all superior and all subordinated commanders as the persons issuing and transmitting the orders for murder and devastation.

Among others the following war criminals are known: SS Gruppenfuehrer and Lieutenant-General of the Waffen SS Phelps, Artur, Divisional Commander, later Commander of the V SS corps; Major-General of the Waffen SS von Oberkamp, Ritter Karl, Commander of the XIII Regiment, later Divisional Commander; Major General Schmidthuber, August, Commander of the XIV Regiment, later Divisional Commander; SS Standartenfuehrer Bachman; SS Sturmbannfuehrer Diltsche, Battalion Commander in the XIV Regiment; SS Sturmbannfuehrer Vollmer, Battalion Commander in the III Regiment; SS Sturmbannfuehrer Breimeier, Battalion Commander; SS Sturmfuehrer Brenner, Battalion Commander; SS Sturmfuehrer Tot, Company Commander of the II Company of a mountain regiment; SS Sturmfuehrer Kruste, Company Commander; SS Untersturmfuehrer Michelis, Wilhelm, Company Commander; SS Untersturmfuehrer Petrovitsch von Halding, Company Commander; SS Obersturmfuehrer Beyer, adjutant of the XIV Regiment; SS Obersturmfuehrer Kern; SS Obersturmfuehrer Muchitsch, adjutant; SS Obersturmfuehrer Petersen, in a mountain regiment; SS Hauptsturmfuehrer Turmann; SS Hauptsturmfuehrer Auerbach; SS Sturmfuehrer Pelichstein, in the XIII Regiment; SS Untersturmfuehrer Dr. Adelmeier, Franz, Wild, Dumont, Hauber; SS Oberscharfuehrer Strauss, and SS Schutze Richtmueller.

All the above mentioned criminals must be put on trial for the war crimes which they committed, and must be most severely punished.

The Secretary of the State Commission
Dr. Ivan Grgic e.h.
advocate
Belgrade, 14th January, 1946.
No. D 472.

The President of the State Commission
Dr. Dusan Nedeljkovic
University Professor.

TRANSLATION OF DOCUMENT D-944

[EXTRACT]

Yugoslav War Crimes Commission
BAOR HQ
Re: Statements about War Criminals.
To the State Commission for Ascertaining War Crimes.

Belgrade.

On the occasion of the interrogation of a few racial Germans—former members of the SS—who are at present interned at Oeselheide Camp Near Paderborn, we obtained the following statements:

HOLTZER Leander declares:

In August 1943, the 23rd Company set fire to a village on the railway line Jablabnica-Prozor by order of the battalion commander, Obersturmbannfuehrer Wagner, under the command of the Company Commander, Untersturmbannfuehrer Schuh; the inhabitants of the village were shot in the meantime.

In August 1943, on the orders of the same persons, the 23rd Company set fire to a village on the railway line Niksic-Avtovac, and the inhabitants of the village were shot. The order for the shooting came from Jablabnica and the villages were burned down already in the morning. The shootings in Pancevo were carried out by the police agent Gross, former master-dyer, Brunn from the SS Division "Prinz Eugen" from Pancevo, a former master-miller. He received a reward of 20,000 Dinars for the hangings at the cemetery.

Brunn was in the past employed at the master-miller Hiber's, Zimska Ulica. The sum of 20,000 Dinars was found on the hanged innkeeper's wife, whom Brunn executed with his own hands; the money was given to him as a fee. * * *

We deliver the above report for further possible proceedings against the accused.

Death to Fascism—liberty for the people.

Yugoslav Commission for Ascertaining War Crimes
BAOR. HQ.
No. 383/G (Sgd) Lieutenant GROZDIC.
27 October 1945

TRANSLATION OF DOCUMENT D-945

[Extract]

Report No. 5
of the Jugoslav State Commission for Ascertaining the Crimes of the Occupiers and their Accomplices.

* * * We submit here the wording of "Report No. 3" (No. 49/944 of the 30 September 1944) of the Croatian Commission for Ascertaining the Crimes of the Occupiers and their Accomplices, in which this Commission, among other things reports this crime, also on the basis of the original report of the Domobran Lieutenant-Colonel Potocnik, garrison commandant of Linj, that miserable accomplice of the same 118th German Division, who reported about this crime to Pavelic's Ministry for War in the following terms:

"In accordance with the order of the commander of the 118th German division, an SS battalion of the "Prinz Eugen" division and a battalion of the Teufels-Division (Devils Division) under the command of the German Lieut. Col. Dietsche, carried out on the 27. 3. 1944 and on the following days a purge action from Sinj in the direction of the villages of Otok-Ruda-Udovicic-Krivodol-Vostane-Grab.

On the 28 March this SS battalion overran the villages of Otok Cornji, Ruda and Dolac Dolnji one after the other and carried out horrible massacres, destructions by fire and looting. These beasts murdered on a single day in the three above named Dalmatian villages 834 people—a part from grown-up men, also women and children—set on fire 500 houses and looted everything there was to be looted. They removed rings, watches and other valuables from the dead bodies. The mass slaughter was carried out in all the villages in the same horrible manner. The German soldiers gathered women, children and men in one place and then opened fire on the crowd with machineguns, threw bombs at them, looted their property and set them on fire. In the House Milanovic-Trapo 45 burned bodies were found. In another house in the same village of Otok 22 unburned corpses were found in a pile. In the village of Ruda they collected all the people in one place and killed all of them. Those who happened not to be collected were killed where they were found. Not even the smallest babies at their mothers' breasts were spared. In some places the victims were soaked in petrol and set on fire. They also killed those who offered them hospitality out of fear. They also killed those people who were forced to follow them to carry their ammunition and other things. According to the evidence of reliable witnesses, the massacres were prepared beforehand, and this all the more so as the above mentioned villages gave no reason whatsoever previous to the purge action for any kind of reprisals. Neither then nor ever previously was a single shot fired at German soldiers, nor was any hostile action undertaken against the same in the area of these villages * * *."

Secretary:
Dr. Ivan Grgic

President of the State Commission
Dr. Dusan Nedeljkovic
University professor.

TRANSLATION OF DOCUMENT D–951

The Supreme SA Leader
b 312/34

Munich, 6 March 1934

Personal!

Subject: Letter from the Reichswehr Minister [Note: Title of Minister for War till 1935] to the Fuehrer.

1 Enclosure:

Distributed according to distribution I.

I enclose for your confidential information a letter of the Reichswehr Minister or of General Reichenau to the Fuehrer.

I remark to this that the question of staff guards was not mentioned either in my discussion with the French ambassador, Francois Pancet, or with the German ambassador in Paris, Koester.

I refer, also to my disposition of 8.1.34, cypher No. 34 and to my conversation in Berlin after the termination of the last session of the Reichstag. On this occasion I forbade the appearance of armed staff guards in public.

The chief of staff:
[Sgd.] Roehm.

Certified copy.
v. Rausser [?]
Obergruppenfuehrer.

The Reichswehr Minister. Berlin, 2.3.1934.

Copy!
Confidential

To the Reich Chancellor.

I feel it my duty to draw attention once more to the significance of the staff guards of the SA. According to the order of the chief of staff, every Corps and Division (Obergruppe and Gruppe) is to form an armed staff guard with a heavy machinegun company. This formation is at present taking place. According to the report of the VI Military District H.Q., the SA Brigadenfuehrers are also said to be considering forming such a staff guard already, and to be engaging SA men for 1 to 1½ year's service for this purpose. Selection and training have to take place with the aim of appearing in public. Numerically this would amount to 6 to 8 thousand SA men permanently armed with rifles and machineguns in the area of the VI Military District H.Q. alone. A particularly awkward factor is that the creation of these staff guards relies on so-called SA auxiliary camps (Hilfswerklager), which are mostly situated in the big towns. Today I have received the report that in Hoechst on the Main—i.e. in the neutral zone—the creation of such an armed staff guard is taking place. Such behaviour renders all the Wehrmacht's care and that of the Krueger depots within the neutral zone which are influenced by it, illusory.

As the chief of staff is away from Berlin, I am sending this report direct to the Chancellor.

[Sgd.] v. Blomberg.

Certified copy.
[Sgd.] v. Pausser [?]
Obergruppenfuehrer.

[In pencil]:
Counter-intelligence
8/3 R.

TRANSLATION OF DOCUMENT D-953

RECORD OF A STATEMENT OF THE WITNESS

Dr David Wajnapel taken down on the 24.7.1946 in Nurnburg by the Public Prosecutor and member of the Central Committee for the Examination of German Crimes in Poland, Dr Stanislaw Piotrowski.

By virtue of the regulations of Polish Law, the witness was informed about the responsibility for untrue statements and was sworn in.

D–953

Christian name and Surname: David Wajnapel
Age: 39 years.
Place of birth: Radom (Poland)
Profession. Physician
Religion: Jewish
Address: Stuttgart, Reinsburgstr. 193
Relationship to parties: None

The witness states as follows:

A few weeks after the entry of the German troops into Radom, police and SS authorities arrived. At the very moment of their arrival, the conditions became immediately worse. The house in the Heromskist where their headquarters was, became a menace to the entire population. People who were walking in this street were dragged into the gateway, and illtreated by merciless beatings and by the staging of sadistic games. All members of the SS, officers as well as other ranks, took part in this. Being a physician, I often had the opportunity to give medical help to seriously injured victims of the SS.

After a short time, the SS uniform became a menace to the population. I myself was beaten up till I bled by four SS other ranks in the street in spite of my doctor's armlet. Later on two ghettos were established in Radom. In August 1942 the so-called "deportation" took place. The ghettos were surrounded by many SS units who occupied all the street exits. People were driven out to the streets and those who ran were fired at. Sick people at home or in hospitals were shot on the spot, among others also the sick people who were in the hospital where I was working as a doctor. The total number of people killed amounted to about 4,000. About 3,000 people were spared and the rest—about 20,000 people—were sent to Treblinka. The whole action was directed and executed by the SS. I myself saw that the SS staff were on the spot forming a group and issuing orders. In the streets and in the houses SS men illtreated and killed people without waiting for orders. After the "deportation," the remaining group of people were massed in a few narrow lanes and we came under the exclusive rule of the SS and became the private property of the SS who used to hire us out for payment to various firms. I know that these payments were credited to a special SS account at the Radom Bank Emisyjny. We were visited by SS men only. Executions carried out by the SS in the Ghetto itself were a frequent occurrence. On 14 January 1943 another "deportation" to Treblinka took place. On 21 March 1943 in the whole district there took place the so-called action against the intelligentsia which action, as I know, was decided upon in an SS and Police Fuehrer's meeting in Radom. In Radom alone about 200 people were shot at that time; among others my parents, my brother and his 9 months old child met their death. On 9 November of the same year all Jewish children up to 12 years of age as well as the old and sick were gathered from Radom and from camps situated near Radom and shot in the Biala Street in Radom. Both SS officers and other ranks participated in this. From March 1943 I stayed 18 months in Blizyn camp. The camp was entirely under the SS and the Radom Police Chief's control. Its commandant was Untersturmfuehrer Paul Nell, the guards were composed of SS privates and NCOs. The foremen were Waffen SS men who had been wounded at the front. Both behaved in an inhuman manner by beating and illtreating us. Shootings of people were frequent occurrences. Originally sentences were passed by the SS and Police Fuehrer, later on by the camp commandant. The SS other ranks knew very well about the bloody deeds which were committed by the SS in Poland, in particular they told me personally about mass murders of Jews on Maidanek (Nov. 1943). This fact was no secret; it was common knowledge among the civil population as well as among the lowest ranking SS men. When the camp was taken over by the Maidanek concentration camp, new guards were sent to our camp, but there was no difference between them and the previous ones. In July 1944 the whole camp including myself was sent to Auschwitz camp, which could be entered only by SS men. The conditions of this camp are well known. I escaped during the evacuation of this camp into Germany. On the way the SS escort machinegunned exhausted prisoners and later on the rest of the marching column (near Rybnik). Several hundred people were killed at that time. When I saw that the situation was hopeless, I fled under fire into a wood, where shortly I was liberated by the Soviet Army.

I emphasize that during the few years of war, being a Jew and a doctor, I met a great number of SS men from Waffen SS as well as other formations and of various ranks, but I must state that I noticed no difference between them as far as their inhuman attitude towards the civilian population was concerned.

Read to me.

[signed] Dr. David Wajnapel

TRANSLATION OF DOCUMENT D–954

RECORD OF THE DEPOSITIONS OF WITNESSES

Warsaw, 4 June 1946, the Examining Magistrate at the District Court in Warsaw, K. SZWARC, at the request of the Public Prosecutor interrogated the witness under oath:

Dr. Stanislaw Lorentz, son of Karel-Ludwik and Mary nee Schoen, born on 28. IV. 1899 at Radom, of protestant faith, lecturer at the Warsaw University, Director of the National Museum in Warsaw, Director General of Museums and Custodian of Public Monuments, resident in Warsaw, at No. 13.Alley of 3 May, who after having taken the oath according to Art. III of the Code of Criminal Proceedings, and having been warned of the responsibility under Article 140 of Criminal Code for false testimony, testified as follows:

Since 1935 I occupied the post of the Director of National Warsaw Museum. I have remained in Warsaw during the whole period of the siege of Warsaw in 1939 and the whole period of occupation. During the Warsaw insurrection I stayed in the building of the National Museum.

During the period between the end of October 1944 and 14 January 1945, when there were practically no inhabitants in Warsaw, almost every day I came to Warsaw as I was directing the action of Polish scientists and artists, in their efforts to save the cultural treasures still left in burning Warsaw. During the whole period of occupation, including the period of insurrection, I have closely watched the destruction of the treasures of Polish culture, perpetrated by the Germans. Some of my notes had been saved and were shown in 1945 at the National Museum during the exhibition called "Warsaw accused." At the present moment these notes are in the archives of the National Museum.

On the basis of all the observations which I was able to make during the occupation I can ascertain that the damages inflicted by the Germans on treasures of Polish culture, were not due to any hazard connected with war conditions, but that these damages were a direct consequence of a criminal plan drawn up by the whole German State machinery: by civil administration, as well as a military administration, i.e. the Gestapo, the police, the representatives of German people, in the persons of eminent professors, museum directors and custodians, such as for example:

1) Prof. Dagobert Frey,
2) Custodian Prof. Grundmann,
3) Director of Dresden Picture Gallery, Posse deceased,
4) Dr. Kurt Muehlmann, State Secretary, Frank's deputy at Krakov,
5) Dr. Joseph Muhlmann, brother of the latter, Art Historian,
6) Dr. Ewald Behrens, of the East Institute in Krakov,

7) Dr. Gustav Barthel, Director of Museum in Wrzoclaw,
8) Dr. Trotschke, Art Historian, who was at the same time an SS officer in the Oswiecin camp, and many others.

During the siege of Warsaw in 1939, the King's Palace, as a national historic monument, was not used by the Polish defenders as a stronghold, or as a depot for military equipment or ammunition. But this fact did not prevent the invaders from shelling this monument of Polish culture, as though it were a military target, and thus the Palace had to share the fate of many other "military" targets of the Capital such as churches, museums, schools, hospitals. On 17 September 1939, incendiary bombs were literally showered on the Palace. On that day, the roofs of two towers were burned down and when the roof of a Palace wing, overlooking the river Vistula, which contained the magnificent reception apartments, caught fire the fine Bacarelli ceiling, dating from 1780, was destroyed. And then, the Museum staff began to carry out salvage operations, under continuous fire which endangered their lives trying to save the most precious objects, and to transport them from the Palace to cellars of the Museum. In this way, they transported the Royal throne, a series of paintings representing Warsaw by Genaletta; pictures by foreign and Polish artists and various sculptures, upholsteries, jewels. Already in November 1939, almost the entire treasure was taken by gangs of German bandits under the leadership of German scientists, such as Dagobert Frey, Professor of the History of Art at the University of Warsaw, Dr. Barthl, Director of Museums at Wroclaw and a Viennese Art Historian, Dr. Joseph Muehlmann, brother of Dr. Kurt Muehlmann, the State Secretary, who had been appointed the special Plenipotentiary for the inventory and the preservation of treasures of art in the Government General. His activity consisted in confiscating the most valuable collections and destroying monuments of Polish culture. At the time of the capitulation and the entry of German army into Warsaw, the Palace with the exception of a few damages done during the siege, was on the whole in a satisfactory state.

The municipal administration of Warsaw had immediately taken measures to preserve the building and already in the first days of October, they had begun to rebuild the temporary roof over the wing containing the magnificent reception apartments. In October 1939, Hans Frank, who was then the Governor, arrived in Warsaw. He stopped at the Warsaw Palace and declared to representatives of Warsaw Municipal Administration that the Palace should be pulled down; furthermore he opposed himself to any work for the restoration or the preservation of the building which was only slightly damaged during military operations. With his own hand, Frank tore off the silver eagles from the royal canopy and put them into his pockets. By this act, he gave signal for the beginning of the general plunder of the Palace installations, which lasted for several weeks. Pictures, upholsteries, wainscotting were torn off the walls and stolen. At the same time, the German miners made holes in the Palace walls for the purpose of laying mines. The soldiers did not keep secret the object of these preparations: the Palace was doomed to destruction by explosion. The disclosures made by the soldiers were confirmed by the arrival of architects and German building contractors under the personal direction of Architect Heidelberg, Director of Architecture Department of Warsaw District. These people, with the help of hundreds of Jews brought daily to the spot, began taking down the building. With electric boring machines they made two rows of holes, with an interval of 75 cms between them, and at a height of 1,5 metre from the ground. In two months several thousands of these holes had been bored in the outer and the interior walls of the palace. During these demolitions, the Palace changed its aspect from day to day and from month to month whilst at the end it looked a mere heap of ruins. The principal tools used were picks and axes. Precious wallscotting was torn off the walls, marble mantle pieces and wood parquets with beautiful design were wrenched out. The marble, wood and stone staircases were broken up. Roofs and ceilings were also torn off, as well as the iron beams which had been placed in 1918–1939, during the preservation works. The ruins of the Palace remained in this state for nearly five years and were still in the same state after the insurrection.

All the furniture of the Palace had been stolen: hundreds of pictures, sculptures including antique pieces as well as sculptures by artists of the XVIIIth century: Houdon, Le Brun, Monaldie; upholsteries, Renaissance, Baroque, Rococo, classical and empire furniture, clocks, especially those of the XVIII century, chandeliers, candelabras, six of which—the large ones—were in bronze of Gaffieri, vases by Thomin and numerous other objects of art, especially those of the XIIIth century. In addition to the objects of art which belonged to the Palace itself and were included in its inventory, there were fine collections of art treasures and souvenirs in the depository of the State Department of Art Collections. These comprised the collections which had been claimed from Russia after 1920, the collections from the Rappersville Museum in Switzerland which had been transferred to Poland, collections brought and given. The depository contained about 1.000 pictures, numerous sculptures, various objects of arts, graphic collections, archives and incunabula. The transport and the packing of the stolen objects were very primitive. Wooden beams and marble plates were thrown out through the windows of the Palace, or were left under open sky in November and December under rain and snow, during great frosts, they lay about in great confusion, mixed up with hot water piping, central heating boilers, wainscotting, modern kitchen appliances and blocks of ancient wooden floors. The objects stolen from the Palace were sent either to destinations which are unfortunately unknown to us, or to the four large store-houses in Warsaw, from where they were later distributed following the applications of various German building contractors.

The material necessary for the transformation of the offices of the Premier Minister into "Deutsche Haus," for the transformation of the Belweder Palace into the residence of the Governor General Frank, for the accommodation of the Warsaw Casino as headquarters of the Gestapo, and for other works of reconstructions came from these store houses. The collections from the Palace were also transferred to Krakow, where they were temporarily stored, in view of their ultimate transfer to Germany. The material from these store houses was also used for the decoration of the offices and private apartments of German officials, for the exchange of presents between the members of civil administration, Gestapo and the army. Furthermore, Governor Fischer and President Dengel gave the authorization to various offices and to employees to choose any objects they liked from those included in the Palace inventory. The ambition of President Dengel was to send the greatest possible quantity of collections to Wuerzbourg, his native city. Amongst the offices which were not in Warsaw, it was the Gestapo in Lublin and in Radom who had shown the greatest zeal. There was also one more method: that was the ordinary plunder practiced by the Feldgendarmerie of Potsdam as from the beginning of October 1939, and later by all kinds of German officials. The objects stolen were sent either to Germany or to Warsaw market where they could be bought for a low price. At the beginning of December 1944, two months after the capitulation of Warsaw, some German military units placed cartridges with dynamite in the holes made in 1939 and blew up the Palace. The cellars and the foundation are all that remained.

In conclusion, I emphasize that the Germans on the order of the ex-Governor General Frank, had closed—immediately after their entry into Poland—all the museums, cultural Polish institutions and societies, whilst the property of all these institutions was confiscated and subsequently most of it was plundered. I have already said that orders to this effect were given by Frank. During the occupation, the Germans arrested several scientists and workers in the field of culture, sometimes aged persons who were not guilty of any political activity. Several of them were shot, tortured or died in the camps. Amongst those who were shot or died as the result of the conditions of their imprisonment, were the following persons:

1) Gembarzewski Bronislaw, about 66 years of age, director of war Museum in Warsaw,
2) Felix Rychling, about 69 years old, Custodian of the National Museum in Warsaw,
3) Dr. Anton Wieczorkiewicz, the curator of the National Museum in Warsaw,
4) Debouski, M.A.,
5) Mann, M.A., assistant at the National Museum in Warsaw,
6) Zygment Batowski, Professor of the History of Arts at the Warsaw University about 69 years of age and numerous others.

The number of those who died or were shot proves the fact that the Germans wished to exterminate all the workers and the professors in the field of culture.

Stated as above. Read.

The Judge
H. K. Szware H. Stanislaw Lorentz

Warsaw, 27th May, 1946, at the request of the prosecutor the Examining Magistrate of the Tribunal of the Warsaw District, K. Szwarc, interrogated the witness Dr. Tomkiewicz Wladislaw, son of Stanislaw and Micheline, born 4. 9. 1899 in Nowince in Lithonia, by profession—Historian.

Professor at the University of Warsaw, Assistant of the Chief Director of the museums and of the Section for Preservation of works of art, residing 61-street Hoza, lodg. 7. After having been advised of the responsibility for giving false evidence (Art. 140 of Penal Code) the witness gave the following evidence:

At the beginning of the war, September 1939, I occupied the post of Curator and Assistant Director of the Museum of the Polish Army, at the same time I was assistant at the Warsaw University. Carrying out my functions I was able to observe the destructive operations of the Germans with respect to works of art and momentos of culture.

According to the testimonies of Dr. Joseph Muhlmann, Prof. of Art in Vienna as well as of Prof. Dagovert Frey who had been in the building of the National Museum in 1939, I assert that these were exactly the persons to whom General Governor Frank gave orders to take actions in order to save the works of art of the General Government. As a result of these actions the whole interior part of the King's Castle was so destroyed that nothing remained but the walls which stood the insurrection of 1944. Information about the destruction of the castle in 1939 by the Germans was obtained through the servants of the castle who told about the destructive operations at the castle carried out by the Germans. In October, November and December 1939 valuable collections belonging to the National Museum and to the Museum of the army were transferred. This transfer was directed by Dr. Muhlmann.

During the insurrection the German soldiers living in the building of the National Museum destroyed the rest of the collection in the most barbarous manner.

The Germans exploded the walls of the King's Castle in December 1944, that is when they were burning and exploding on a large scale the public buildings and private dwelling places that were yet untouched. I saw the castle with my own eyes in November 1944 that is at the time when the insurrection had been at an end. I can state that the castle was pretty well in the same condition as it had been in 1940. When Soviet troops entered Warsaw i.d. on 17th January 1945, that castle was nothing but a heap of ruins.

According to my own observations of the ruins after the destruction I think I am able even to show the order and extent to which the destruction of Warsaw had been carried on:

1) During military operations in 1939 about 10 percent of the buildings were destroyed by the Germans as a result of artillery fire and aerial bombardments.

2) In 1943 when the Ghetto was being liquidated, about 15 percent of the buildings were set on fire and destroyed by the Germans through bombardment.

3) During the Warsaw insurrection, i.e. from 1.8.1944 till 3.10.1944 the Germans set fire to and destroyed through bombardment about 25 percent of the buildings existing in 1939 i.d. during the time before the war.

4) After the insurrection i.e. after 3.10.44 and before 17th

January 1945 the Germans had burned or exploded about 30 percent of what had been Warsaw before the war, besides they left many houses mined but not yet exploded.

I had very often visited Warsaw during the month of November 1944 having been provided with a pass by the German Authorities. During my visits I often saw detachments of German soldiers belonging to the "Brennkommando" setting houses on fire which had not been destroyed during the insurrection.

Therefore considering all these above mentioned facts I assert that at the time of the German retreat from Warsaw the destruction of all the immovable property of the town had amounted to 90 percent as compared to the condition of Warsaw before the war.

I may add that Dr. Dagobert Frey, mentioned above, had been Professor at the University of Wroclaw in 1939 as far as I know, now he is Professor at the University of Vienna.

Stated as above. Read and approved.
K. Szwarc W. Tomkiewicz

COPY OF DOCUMENT D-955

RECORD
OF THE EXAMINATION OF A WITNESS

Carried out by the public prosecutor and member of the Central Committee for Investigating German crimes in Poland, Dr. Stanslaw Piotrowski, in Nurnberg on the 29 July 1946.

By virtue of the regulations of Polish law, the witness was informed of the responsibility for false testimony and took the oath.

Name:	Goldberg, Mojzesz
Age:	36 years.
Place of Birth:	Radom
Profession:	Merchant
Religion:	Jewish
Address:	Stuttgart, Bismarckstr. 138.
Relationship to the parties:	—

The witness states the following:

1) On the 23 June 1941 I was called up into the Soviet army in Lemberg. In the middle of July I was taken prisoner by the Germans. At a locality 5 kilometres from Podwoloczysk the SS companies sought the Jews out of the whole mass of prisoners and shot them on the spot. I remained alive as they did not recognize me as a Jew. I stress the fact that it was the Waffen SS who did this.

2) After my captivity was ended, I lived in Radom and worked from June 1942 to July 1944 for the Waffen SS at 3 places; the SS Veterinary Reinforcement detachment, Koscinskistreet, the Garrison administration of the Waffen SS, Planty 11 and the Building directorate of the Waffen SS, Slowacki Street 27. As I worked so long for the SS, I know the names and faces of all the officers and NCOs of the above named detachments of the Waffen SS very well. At the head of the SS Veterinary Reinforcement Detachment were Sturmbannfuehrer Dr. Held and Hauptsturmfuehrer Schreiner; at the head of the garrison administration there was Obersturmfuehrer Grabau (at present in Dachau camp) and at the head of the Building directorate Oberscharfuehrer Seiler. All the persons mentioned took a direct part, together with their companies in carrying out the expulsions in Radom on the 5, 16 and 17 August 1942, during which some thousands of people were shot on the spot. I know that the SS Veterinary Reinforcement companies went to the provincial town to carry out the "expulsions" of Jews. I heard individual soldiers boasting about the number of Jews they had killed. I know from their own stories that these companies participated in the actions against Polish partisans and also set the surrounding Polish villages on fire.

The record was read out to me.

[sgd] Goldberg
[sgd] Dr. Piotrowski.

COPY OF DOCUMENT D–956

Extract from "German Crimes in Poland"

These executions among the ruins of the ghetto lasted right up to the outbreak of the Rising (the last taking place on July 29, 1944). From the day of the last official poster to the beginning of the Rising about 1,800 persons perished.

The approximate number of Poles killed in Warsaw from the beginning of the public executions until the Rising (Oct. 15, 1943 —Aug. 1, 1944) was about 8,000, most of whom had been caught in manhunts in the Warsaw streets.

TRANSLATION OF DOCUMENT D–959

Czechoslovak Republic Ministry of Interior, Prague
CERTIFICATE

The Ministry of Interior hereby certifies that the annexed paper is a State document within the meaning of Art. 21, Charter of the International Military Tribunal annexed to the Agreement signed on the 8th August 1945, by the Government of the United Kingdom of Great Britain and Northern Ireland, the Government of the United States of America, the Provisional Government of the French Republic and the Government of the Union of Soviet Socialist Republics for the Prosecution and Punishment of the Major War Criminals of the European Axis.

Prague, this 13th day of July, 1946.

Minister
[sgd] V. NOSEK

Report of the Czechoslovak Ministry of Interior about the crimes committed by the members of the Allgemeine SS and the Waffen SS

The Organisation SS

The SS formations were formed at the very beginning of the National Socialist Party. After the Munich Putsch they were dissolved together with the Party. When in the year 1925 the Party was reconstituted the organization SA was still forbidden and therefore its functions—the protection of Party meetings—were taken over by the SS. In the year 1926 when the SA formations were again permitted the organization SS lost some of its importance.

In the year 1926 on the occasion of the 2nd congress of the NSDAP at Weimar Hitler handed over to the organization SS the so called Blutfahne, that means the flag of the Munich putsch. In the year 1929 he appointed Heinrich Himmler as Reichsfuehrer of the SS and ordered him to build up the SS as an absolutely reliable and first-class formation of the Party.

Himmler made a strict choice from the applicants as to their corporal and racial fitness as well as to their reliability and devotion. He took special care that the marriages concluded by the members of the SS should be suitable from the racial point of view. By a special order of December 31st he ordered that the members of the SS could marry only by special permit in accordance with the racial point of view.

According to the German order of March 29, 1935, which was to carry out the law guaranteeing the unity of the Party and the State the organisation SS was a formation of the Nazi Party, that means it was directly a part of the Party without being an independent juridical person or having the right to possess property of its own. According to the organization statute of the NSDAP the original and the noblest task of the organization SS consisted in the protection of the Fuehrer. After the taking over of power A. Hitler entrusted the organization SS with the protection of the Reich inside the country.

The Reichsfuehrer SS became the chief of the German police. He formed SS groups housed in special barracks, the s.c. Verfuegungstruppen, later the Waffen SS; in this way there were formed first the standard "Adolf Hitler" and later the standard "Deutschland" and "Germania" and after the occupation of Austria the standard "Der Fuehrer". Besides the general SS troops there were formed the SS disposal troops SS standards of the Totenschaedel (death heads), further the security service and troops for racial and colonization questions.

All these individual troops had their own offices, that is the SS Supreme Office, the SS Security Office, and the Supreme Office for racial and colonization questions.

The normal advancement of an SS man was as follows: Having been recognized suitable for the service the member of the Hitler Youth became at the age of 18 a candidate for the SS (SS-Bewerber). At the meeting of the Party which took place the same year he became "waiter" (Anwaerter), a document was handed over to him and he was admitted into the service of the SS, after a short time during which he had to prove his aptitude, he took the oath to the Fuehrer on November 9th (the anniversary of the Munich putsch). In the first year of his service he had to acquire the badge of armed sports, the Reich bronze sport badge. At the age of 19 he entered the Reichsarbeitsdienst (the Reich Labor Service) and then the military service. After two years of service he returned home, unless he stayed in as an officer's candidate. He got thorough instruction in the Nazi point of view and on the next 9th November he became an SS man. At the same time he was allowed to carry a dagger, he had also to promise that he himself as well as all the members of his family would keep forever the fundamental laws of the SS. He served as SS man until his 35th year of age, then he was transferred to the reserve and having reached the age of 45 to the Stammableitung basic formation of the SS.

The service in the SS disposal troops (Verfuegungstruppen) lasted 4 years and was equal to military service. Having served in the SS disposal troops (Verfuegungstruppen) the SS man returned to the general SS troops.

The formations of the "Death heads" (Totenschaedel) formed a part of the SS in special barracks and they were destined to guard the concentration camps. The service there was to last 12 years.

The chief task of the SS security service consisted in the constant observation of known and secret enemies of the Nazi regime and its original party function was extended until it became the organ of the State security operating closely with the Gestapo.

According to the statutes of the NSDAP every SS man has to be conscious of the importance of the Nazi movement. He has to be instructed ideologically as well as corporally in order to be able to fight a battle for the Nazi-world point of view as an individual or as a fighter within the formations. An unconditional obedience is required. Everything is based upon the conviction that the Nazi-world outlook would dominate. He who shares this conviction and stands for it with passion would voluntarily submit to the obligatory obedience.

Therefore every SS man is prepared to carry out without hesitation every order issued by the Fuehrer or by any superior even if this required of him greatest sacrifice. According to the SS-Leitheft, a special organ of the SS (February 2, 1943), the organization SS, owing allegiance to the Fuehrer, declares consciously and uncompromisingly to be the knight order of the Nazi world outlook. From this it follows:

(1) We are ready to deduce also spiritually all the consequences of our world outlook to justify it philosophically and scientifically. Therefore it is the task of the SS to become the center of the spiritual selection of the nation.

(2) We are also ready to live for this world outlook. Our world outlook is a moral obligation to us. We know that the nation will not be convinced about the righteousness of this conviction by words, but by deeds. Our life can have a sense only if we devote it unreservedly to the furthering of the cause of the Fuehrer, the nation, and our children.

This idea that the SS is a special Order is constantly implanted in the members. The SS shall be the Order of the Nazi world outlook, the mundane order in the higher sense of the word. The SS is a military warlike collective. We read in the Leitheft that everywhere there were on the German soil collectives of this kind, they had always a military warlike character: the Vikings, the Order of the German-Knights, and the Prussian Officer corps which was a collective of a common outlook, belong to the predecessors of the Order idea of the SS. The whole of the nation has to be welded into a strictly disciplined Order-like community which carries out consciously what is only latent in thousands of other people, which knows the internal connection between soldiery and world outlook and possesses enough courage and resoluteness to use means hitherto untried by anybody if they are considered necessary for the life of the whole nation and if an action has to be started or an example provided.

Briefly, the SS wasn't any innocent association, it was an organization of well instructed people who knew what were their tasks. This is true not only of the leaders but of every ordinary SS man. Each of them was imbued with the racial mysticism and the Nazi world outlook, i.e., with German pride, snobbery, and the conviction that the Germans were superior to any nation of the world. From their ranks were chosen the leaders for different tasks and in this sense it was indeed an Order which brought up the class of leaders.

Crimes committed by the members of the Allgemeine SS and the Waffen SS

The crimes committed by the members of the SS troops against the Czechoslovak and foreign citizens on the territory of the Czechoslovak Republic can be divided into the following categories:

(1) Actions against the Prague students in 1939.

(2) Reprisal measures against civilians suspected of contact with the partisans.

(3) Crimes committed in concentration camps and during the transports of the prisoners (the s.c. death marches).

(4) Crimes committed in the SS training center in Benesov.

(5) Crimes committed during the Prague revolution in May 1945.

[Ad 1]

The SS units were employed together with the German army and police in the action against the Prague students on November 17, 1939, during which the s.c. Hlavka college was occupied by the SS units. The direct eyewitnesses give the following account of the action:

"About 4 o'clock in the morning there were heard the first sounds of broken doors in the Hlavka college. Immediately afterwards a drunken pack of SS men broke into the corridors, smashing with their guns the doors of the rooms and driving with leather whips the students to the staircase. Many of the students were only in their night gowns, others had only their slippers on and the rest were barefoot. The face of many of them was covered with blood. The house was shaken by a tremendous roar and stamping of shod shoes, the cracking of broken doors and glass. In every room there remained an SS man with a gun. Their commanders ran with whips from one room to another, they beat everybody they met, they put pistols on the breast of the victims raging and rioting. In front of the college there were some buses. He who happened to reach a seat quickly was saved from many blows which the pack of SS men were regardlessly distributing."

During this action the greater part of the college equipment was destroyed, valuable objects such as watches, fountain pens, and money were stolen and carried away. In some rooms the beds, walls, and floor were spilt with blood. The broken windows and the fallen plaster were the best proof of the way the students were treated.

[Ad 2]

In the village of Hostalkove, district Vsetin, there was stationed from December, 1944, to May 3, 1945, a small SS unit which undertook penal actions against the civilian inhabitants who were suspected of being in touch with the partisans. On December 12, 1944, the members of this unit arrested Mrs. Stankova together with her son and daughter because they were suspected of hiding the partisans. At the same time the SS men set the house on fire.

On January 28, 1945, the commander of the unit proclaimed a state of emergency and the SS men opened fire at the inhabitants. Even children who were skiing were threatened by the shots. One person was seriously wounded.

In February 1945 Mr. and Mrs. Cesek and Mr. J. Rataj were arrested because they were suspected of maintaining contact with the partisans. Their house was burned down by the SS men. The arrested persons were tortured by the SS and after their departure from the place of their station a buried man was found whose body showed several wounds caused by shots and stabbing, fractures, and traces of burning. According to the medical diagnosis the unknown man was buried while still alive (which was proved by the red liquid blood in the clay all around the nose). On April 19, 1945, a group of the Gestapo and the SS of Zlin were searching for partisans in the area of the clearings Ryliska and Plostiny, district Zlin. The search proved to be negative. The enraged Gestapo and SS men ordered the questioned persons to go into the houses which in the meantime have been plundered and then put on fire. If somebody did not want to obey the order he was thrown into the burning building or under the threats of shots was forced to obey. In the ruins of the houses 23 burnt corpses were found, 4 persons were shot during this bestial action.

On May 5, 1945, after having plundered the village of Javorisko, in the district of Litovel, the SS burned it down. During this execution the SS troops shot in the nape or killed in the burning houses all the male inhabitants of the village from the age of 15 to 70 years. Women with children after having been illtreated were driven away.

The execution, at which 38 men lost their lives, took place because the inhabitants of the village were suspected of hiding partisans.

[Ad. 3]

The crimes committed by the members of the SS in concentration camps are known well enough and therefore it is not necessary to mention them in details. As far as the identity of the individual SS men could be stated, the concerned evidence was handed over to the United Nations War Crimes Commission in London and the perpetrators were put on the list of war criminals. It is to be mentioned that the prevailing part of the persons so far put on the Czechoslovak war criminal list are members of the SS.

The same cruelties as those in the concentration camps were committed by the members of the SS groups during the transports of prisoners. During the marches the prisoners were beaten and tortured, they died of hunger, cold, and exhaustion and were shot or beaten to death by the SS men as soon as they could not march any more.

Towards the end of January 1945 there passed through the village of Hnevosice, district Opava, a transport of political prisoners at the number of about 10,000 persons, accompanied by the Waffen SS. The prisoners were falling of hunger and exhaustion and they were shot in the nape by the SS men. In the village of Hnevosice there were murdered in this way 18 and in the village of Sluzovice 5 persons.

On February 18, 1945, there arrived to the village of Chroustnikovo Hradiste a transport of some thousands of political prisoners accompanied by SS men. The prisoners were so hungry and exhausted that 10 of them died in the local brewery, where they had so little space that they had to sleep standing.

Another 90 men who could not continue their way were shot down or beaten to death by clubs during the next course of the march. On April 4, 1945, there arrived to the village of Litrbach a transport of 150 to 200 women accompanied by SS men. The women had to spend the night in the open air although the commander of the transport was offered an empty school building. The commander of the transport handed over to the German mayor 12 corpses of young women to be buried. At the exhumation which took place on April 8, 1946, there was discovered on the skull of a woman a 9.5 cm long wound, caused by a blunt object. In the neighborhood of Sangerberg there was found another dead woman belonging to the same transport who according to the medical diagnosis was killed by a blunt object and the blow was so violent that she lost her teeth.

On April 22 the same transport arrived to Rejstejn. About 20 persons spent the night in a barn, where they had to remain until the next day afternoon without any protection against the bad weather and the bitter cold. Eleven women died and they were buried at the local carrion place.

During the next march 12 women died who were buried at Hartmanice and another 5 whose corpses were found in the wood through which the transport had passed.

On April 12, 1945, a transport consisting of about 5,000 prisoners guarded by SS men passed through the village of Pisarove Vestce. During the march the prisoners were beaten and two days later one of the accompanying SS men, the Untersturmfuehrer Hauer, returned to Pisarove Vestce and brought with him on a lorry 20 prisoners. These had to dig graves for 45 shot prisoners who were in the meantime brought from Schoenwald.

In the time from 15th to 24th April there passed through the railway station of Hohosudova several transports carrying prisoners from the concentration camps in Germany. One of the goods trains in which there were about 5,500 prisoners stayed at the station several days. The prisoners who were allowed to go out to the nearby meadow gluttonously ate grass, willow leaves, and the bark. Those, who went a little distance from where the bulk of the prisoners were, were mercilessly shot down or beaten to death by the SS guards. Altogether 312 persons were beaten to death, shot, or died and their bodies were buried in a coal pit.

[Ad 4.]

On June 1, 1942, the German authorities ordered the expropriation of the property and the evacuation of the inhabitants from the village of Hradistko with the villages Hradistko, Brunsov, and Pikovice in the s.c. zone I.A. of the SS military exercise ground with headquarters at Benesov. According to the notice the above named villages had to be evacuated by September 15, 1942, and in the area an SS pioneer school had to be placed. In the notice it was pointed out that the inhabitants had to evacuate their property.

The local commander of the SS pioneer school at Hradistko which moved in immediately decided however in contradiction to the formal wording of the notice that the evacuation had to take place within less than a fortnight and in some even within 2 hours. Further the local commander ordered that the property could be taken away only when the owners produced a permit issued by the commander of the SS pioneer school. In this way they forced the bulk of the inhabitants to leave behind an important part of their property without having been given any receipts of the property left behind. The amount which was paid by the SS commander at Benesov for the ceded property represents only a small part of the real value.

Immediately after the occupation by the SS formations there was erected at Hradistko a so-called "Arbeiterziehungslager" — Labour education center—which was later changed into a concentration camp where many Serbs, Russians, Frenchmen, Dutchmen, and citizens of other nations were kept. The conditions there were horrible. The climax was reached a few weeks before the end of the war when large scale murdering of prisoners took place.

[Ad 5]

In the days following May 5, 1945, the members of the SS troops in Prague committed incredible cruelties against the civilian inhabitants. The SS men drove them from their flats and shelters into streets and forced them under threat by automatic weapons to protect the German guards with their bodies. In the streets there lay many killed Czechs. The wounded could not be taken into care although they cried for help. He who dared to extinguish the fires was shot down by the SS men. The inhabitants forming with their bodies the protecting walls were led from one place to another and beaten with guns, clubs, and everything that was on hand. The SS men knocked at the doors and when somebody came to open he was shot on the spot. They drove the inhabitants away to the shelters into which afterward they threw hand grenades and killed the wounded. Eye witnesses described the event in the house No. 264 at Horni Krc where the SS men penetrated into the cellar and shouted in the German language: "Everything out!" Twenty-two persons left the cellar and in the small garden belonging to the house 16 were shot down (6 children, the youngest was 3 years old, 5 women, and 5 men). Three persons were seriously wounded.

They also employed dum-dum loads. The 10 years old Milan Prochaezka who was only lightly wounded kneeled down and asked the SS men not to kill him. Nevertheless they killed him with their gauntlets.

Apart from the above named cases the SS men herded into communal houses about 6,000 persons of whom they chose men as hostages and protectors during the fighting. While retreating the SS men drove 300 men with arms held up in front of their tanks and infantry as far as the town Zbraslav (over 16 miles from Prague).

In the Jeleni Prikop in Prague IV captured Czech civilians were tortured and then murdered in a bestial way. The found corpses bore traces of shot wounds in the nape, their abdomens carved open, deformed mouths, pierced eyes, wounds on the neck and in the back. The victims were brought from the s.c. Kadetka occupied by the SS men.

The members of the SS who were stationed in Prague I near the Faculty of Law made under the support of tanks an assault on Parizska trida (Paris Boulevard), drove the inhabitants out of the shelters, and kept them during the fighting in the street. Here, too, they illtreated and murdered a greater number of persons. The corpses have traces of violence, cut ears and noses as well as blue taints caused probably by gauntlets.

The SS men raged also in other parts of Prague. After the occupation of the Masaryk railway station all the civilians had to leave the shelters. These SS separated the men from the women, ordered them to line up, and mowed down some of them on the spot in the presence of the women. Of the remaining the SS men chose their victims at random, ordering them to run across the street and shooting 29 of them from a distance of 20 steps. Another 24 were executed in the same way in the railway station hall. Among the executed there were besides the railway employees also a considerable number of students, who on May 5 waited there for their train. From Liben to Karlin a tank division of SS drove in front of itself about 300 Czech civilians and forced them to remove the barricades in Karlin. Also here the SS men penetrated into the shelters of the neighboring houses, drove the unarmed civilians into the streets, where they shot them. Many men and women were shot in their flats, in the houses, and in front of the houses, mostly by a shot from behind. Several dozens of people were driven to the Trojsky bridge to remove the barricades in the middle of this bridge. Nearly all of them were killed on the bridge by the SS men.

But also outside Prague many bestial murders and other crimes were committed by the members of the SS troops during the May Revolution. On May 6, 1945, in the village of Krizov, district Pribram, a certain number of inhabitants were arrested by the SS men and driven in front of the tanks. On the same day SS men executed at Milin 5 persons. In the village of Zivokost the members of the Waffen SS executed 7 Czech patriots from the village of Zaborna Lhota. Before the execution these men were bestially illtreated. Not far from this place on the other bank of the river the SS men tortured and massacred many other Czechs. At Sedlec, district Sedlcany, the SS troops executed 11 men after having shot in the neighborhood many innocent people. They also burned down the school and plundered several houses.

At Trest in Moravia the members of the SS troops together with local Germans murdered 34 Czechs in the prison courtyard and in the streets they shot 10 other persons.
Prague, July 9th, 1945.

TRANSLATION OF DOCUMENT D-960

24 March 1943

Waffen SS
Natzweiler Concentration Camp
Commandant's office
3.43/Kr/Jg.

8000151, VIII/ 64 C 16
Concentration Camp Natzweiler
Bill

To the Security Police and SD, Strassburg.

For the 20 prisoners executed and cremated in this concentration camp, costs amounting to RM 127,05 arose.

The commandant's office of the Natzweiler concentration camp requests the early despatch of the above mentioned sum.

[Initialled]
SS Hauptsturmfuehrer and Commandant.

TRANSLATION OF DOCUMENT D-964

Affidavit of Szloma Gol

I, SZLOMA GOL, declare as follows:

1. I am a Jew and lived in Vilna, Lithuania. During the German occupation I was in Vilna ghetto.

2. The administration of Vilna ghetto was managed by the SA. The Town Commissioner of Vilna (Stadtkommissar) was an SA officer called Hinkst. The Landkommissar for Vilna was an SA officer called Wolf. The Advisor on Jewish questions was an SA officer called Muerer.

3. In December 1943, 80 Jews from the ghetto including 4 women and myself and my friend Josef Belic were ordered by an SA Sturmfuehrer, whose name I forget, to live in a large pit some distance from the town. This pit had originally been dug for an underground petrol tank. It was circular, 60 meters in diameter and 4 meters deep. When we lived in it the top was partially

covered with boarding, and there were two wooden rooms partitioned off, also a kitchen and lavatory. We lived there 6 months altogether before we escaped. The pit was guarded by SA guards about whom I give details below.

4. One morning the Sturmfuehrer standing on the edge of the pit accompanied by 14 or 15 SA men said to us "Your brothers and sisters and friends are all near here. Treat them properly and if you complete your work we will send you to Germany, where each man can practice his own vocation". We did not know what this meant.

5. Thereupon the SA men threw chains into the pit, and the Sturmfuehrer ordered the Jewish foreman (for we were a working party) to fasten the chains on us. The chains were fastened round both ankles and round the waist. They weighed 2 kilos each, and we could only take small steps when wearing them. We wore them permanently for 6 months. The SA said that if any man removed the chains he would be hanged. The 4 women (who worked in the kitchen) were not chained.

6. After that we were taken out to work. We walked in chains 5 to 6 meters.

7. Our work consisted in digging up mass graves and piling the bodies onto funeral pyres and burning them. I was engaged in digging up the bodies. My friend Belic was engaged in sawing up and arranging the wood.

8. We dug up altogether 68,000 graves. I know this because two of the Jews in the pit with us were ordered by the Germans to keep count of the bodies—that was their sole job. The bodies were mixed, Jews, Polish priests, Russian Prisoners of War. Among those that I dug up I found my own brother. I found his identification papers on him. He had been dead two years when I dug him up, because I know that he was in a batch of 10,000 Jews from Vilna ghetto who were shot in September, 1941.

9. The procedure for burning the bodies was absolutely methodical. Parallel ditches 7 meters long were dug. Over these a square platform of boards was laid. A layer of bodies was put on top, the bodies had oil poured on them and then branches were put on top and over the branches logs of wood. Altogether 14 such layers of bodies and fuel were put on each pyre. Each pyre was shaped like a pyramid with a wooden funnel sticking up through the top. Petrol and oil were poured down the funnel, and incendiary bombs put round the edge of the pyre. All this work was done by us Jews. When the pyre was ready the Sturmfuehrer

himself or his assistant Legel (also in the SA) personally lit the pyre with a burning rag on the end of a pole.

10. The work of digging up the graves and building the pyres was supervised and guarded by about 80 guards. Of these over 50 were SA men, in brown uniform, armed with pistols and daggers and automatic guns (the guns being always cocked and pointed at us). The other 30 guards consisted partly of Lithuanians and partly of SD and SS. In the course of the work the Lithuanian guards themselves were shot presumably so that they should not say what had been done. The Commander of the whole place was the SA officer Muerer (the expert on Jewish questions) but he only inspected the work from time to time. The SA officer Legel actually commanded on the spot. At night our pit was guarded by 10 or 12 of these guards.

11. The guards (principally the SA guards) hit us and stabbed us. I still have scars on both legs and on my neck. I was once knocked senseless onto the pile of bodies, and could not get up, but my companions took me off the pile. Then I went sick. We were allowed to go sick for 2 days, the third day we were taken out of the pit "to hospital"—this meant to be shot.

12. Of 76 men in the pit 11 were shot at work. Forty-three of us eventually dug a tunnel from the pit with our bare hands, and broke our chains and escaped into the woods. We had been warned by a Czech SS man who said "they are going to shoot you soon, and they are going to shoot me too, and put us all on the pile. Get out if you can, but not while I am on guard".

I declare the above to be correct.

[signed] Szloma Gol

9 August 1946.

TRANSLATION OF DOCUMENT D–968

AFFIDAVIT OF KHAIM KAGAN

I, KHAIM KAGAN, declare as follows:

1. I am a Jew and lived in the Ghetto of Kaunas (Lithuania) during the German occupation. I was on the Jewish Council of the Ghetto dealing with statistics and supplies. As representative of the Jews for rations, etc., I had to deal directly with the Town Governor's Office (Hauptsturmfuehrer SA Jordan's section). The Town Governor's Office was exclusively staffed by SA: even the girls in the office wore brown SA uniform.

2. The German Town Governor (Stadtkommissar) was called KRAMER, and he was a Brigadefuehrer SA. Jordan was the Advisor on Jewish Affairs to Kramer. I know their ranks and

that they were in the SA, because they signed the orders which were posted in the Ghetto.

3. About 10 to 15 September 1941 a plundering operation was conducted throughout the Ghetto. It was done exclusively by SA men, Jordan was with them. They all wore brown uniform. They took gold, silver, valuables, furniture, etc. In order to scare people and to induce them to give up their property more easily they shot people indiscriminately in different parts of the Ghetto: they shot twenty-seven in all.

4. After the plundering was over Jews were employed to sort the plunder and pack it into parcels to send to private addresses in Germany.

5. On the 13th September 1941 Jordan and Sturmfuehrer SA KEPEN (with Brigadefuehrer LENZEN, who was Commissioner for the Rural District (Landkommissar) of Kaunas, standing by) shot three men in my presence. One of these men they first pulled out of bed.

6. On the 21st or 22nd September 1941 I was in a labor detachment. I saw about thirty SA men in uniform conducting a group of some 300 Russian prisoners of war. The Russians were quite exhausted, they could barely walk. Two collapsed and the SA shot them. The SA were beating them all the time. My labor detachment had to bury these Russians.

7. In October 1941 300 Jews including myself were taken by the SA from the Ghetto and forced to carry two chairs each, on their shoulders, for a distance of 5 kilometres and then back again, for no object whatsoever. Those who could not carry on were shot. Jordan was following the procession in his car. There were about 100 SA men guarding us: they were armed with automatic pistols.

8. On the 28th October 1941 there was a big "action" on in which 10,500 people from the Ghetto were shot. The Ghetto population was first divided into two groups, those for execution and those who were allowed to stay. The sorting was supervised in the morning by a man called RAUKA (who was I think in the Gestapo or the SD) and later in the day three prominent SA men, Jordan, Kepen and Poeschl came to help him. All these SA men were in uniform. I know the number of those who were shot because my job on the Jewish Council included the rationing for which we had taken a census of the Jews. A new census was taken after these executions.

9. On the 15th August 1941 the SA shut the Ghetto gates. A number of people had gone out of the Ghetto on the 11th August

to try to get food. On the 15th after the gates had been shut Jordan came to me and said: "Go and get 20 bodies which I have just shot as a warning to you all not to have dealings with the outside population."

10. On the same day (15th August) Jordan announced that he wanted 530 intellectuals to work on archives. He was told there were not that number available. Thereupon the SA (assisted by others in German uniform which I cannot identify for certain but I think it was SD) seized 530 people at random. The SA personnel present included Jordan, Poeschl and Lenzen.

I declare the above to be correct:

[signed]:
KHAIM KAGAN

10 August, 1946.

TRANSLATION OF DOCUMENT D-969

AFFIDAVIT OF LEIB KIBART

I, LEIB KIBART, declare as follows:

1. I am a Jew and lived during the German occupation in the Ghetto of Schaulen, about 130 kilometres of Riga. I am a leather worker by trade.

2. I was arrested in the street and forced to work for the Germans for three years making mostly women's handbags. I lived in the Ghetto but I was taken daily by SA men to the Courtyard of the District Commissioner where I and other Jews worked on various jobs.

3. While at work we were often cursed and beaten by the SA. Sturmfuehrer SA Bub one day ordered a lady's handbag from me, to be ready by the same evening. I said that was impossible, so he gave me many strokes with a whip. In the evening he thrashed me again because the bag was not ready.

4. The SA came to Schaulen soon after the occupation by the Germans in the summer of 1941 and they took over the administration of the Ghetto. The first SA Chief was SCHROEPFER, a Sturmfuehrer SA. He was either from Bromberg or Bamberg but I cannot remember which. I know it was one or the other because Jews were employed to make trunks for SA officers and I remember his name and address being painted on one. His successor was Sturmfuehrer Bub.

5. It is hard to judge, but I estimate that there must have been 700 to 800 SA men there at the beginning, but they decreased in numbers later. I knew them as SA because they wore brown uni-

form with Swastika armlets. Later on they often used other Germans in the locality as auxiliaries.

6. There were 4,500 Jews in the Ghetto, which was very overcrowded. In August 1941 the SA therefore surrounded the whole Ghetto, and numbers of them went into the houses and took out women, children and old men, and put them into lorries and drove them away. I saw all this myself. It was done exclusively by SA. I saw them take children by the hair and throw them into the lorries. I did not see what happened to them but a Lithuanian told me afterwards that they had been driven 20 kilometres away and shot: he said he had seen the SA make them undress and then shoot them with automatic pistols.

7. In 1943 working parties were sent out from the Ghetto into the country and they sometimes brought back food such as potatoes. The SA searched them and if they found food on them they beat them in the streets. In June 1943 a man called MAZAWETZKI, a master baker, was caught by Bub with four or five cigarettes and some sausage.

He was beaten and brought to the District Commissioner's office. I was working in the Courtyard with other Jews and Bub said to the working party that the man must be hanged because he wanted to show that he too could hang Jews. Next Sunday we were all kept in the Courtyard and Bub had Mazawetzki hanged in front of us by Jews.

8. The District Commissioner in whose Courtyard I worked was called GEWECKE. I saw him every day. He was in the SA.

9. The SS took over from the SA in September 1943, and the Ghetto then became a working commando.

I declare the above to be true.

[signed]:

10 August 1946 LEIB KIBART

TRANSLATION OF DOCUMENT D-970

ENCLOSURE
COPY

Cracow
25 September 1944.

The Regional Commander of the Security Police and SD
In the Government General
IV 4 - 1036/44
To the Governor General
Reich Minister Dr. Frank
Cracow
Castle.

Subject: Prior of the Carmelite Monastery of Czerna.
Previous reference: Known.

The incident under consideration took place within the framework of the action for obtaining people for the carrying out of special building operations in the district of Ilkenau. It came to the knowledge of the sub-Regional Commander of the Security Police and SD in Cracow via the branch office of Kressendorf and the strong point of Wolbron. As the place where the deed was committed lies within the area of the Einsatzstab of Ilkenau, the investigations were carried out by the Regional State Police HQ at Kattowitz—branch post Ilkenau. The results of the investigations which have been received provide the following facts:

The possibility of carrying out the planned building operations in the area in question within the period laid down was made doubtful by the fact that the various communities did not provide the number of workers imposed on them. As a result the construction staff at Kattowitz gave a special detachment composed of 12 SA men orders to bring in workers from the various villages. The execution of this task by this SA Einsatzkommando was in any case carried out by them in such a way that they first approached the village beadle and presented the demand to him. As the village beadles only carried out the demand they had received dilatorily, it became necessary to comb the houses for persons fit to work. In most cases the men of the SA Einsatzkommando were allegedly even requested to do so by the village beadles, as, according to what they said, the inhabitants only obeyed the order to work unwillingly and resisted. When the houses were searched, some of the inhabitants offered resistance, which had to be broken by the use of arms. In view of the fact that partisans had several times appeared in this area during recent times, the SA men reckoned that partisans were living in the villages during the day disguised as civilians. Besides this, when workers were obtained, the local conditions of the villages were—according to the investigations of the Regional State Police HQ Kattowitz—taken into account and workers in concerns which were of importance for the war effort were excepted from the measure.

The Prior of Czerna monastery was seized by members of the SA Einsatzkommando in Nowojewa Gora. He was told to remain with the men of the SA Einsatzkommando for the time being. While the members of the detachment were in a house in order to search it for workers, the prior—according to what the Regional State Police HQ Kattowitz established—used this opportunity which seemed suitable to him, to escape. As he did not stop when shouted at several times and after some warning shots had been fired, but, on the contrary, ran even faster and tried to escape, arms were used.

The prior had been arrested because he was alleged to have made negative statements to other workers about the Ostwall (Eastern Defensive Line) and the building undertaking, which tended to influence the labourers' already weak will to work in a still more unfavourable manner. It was intended to take the priest first to the constructional staff at Nielepiece and from there to the office of the Security Police, in order to carry out further investigations into this matter.

According to the report of the Regional State Police HQ Kattowitz, steps are to be taken to ensure that in future such operations are carried out not by SA men but by police officials.

Signed Bierkamp
SS Oberfuehrer and Colonel of Police.

TRANSLATION OF DOCUMENT D–971

S.A. UNIVERSITY DEPARTMENT COLOGNE
DECREE

1. In May 1934 all German students of the age group due to take their leaving certificates in 1933 will be regimented by the S.A. University Department in order to be physically and mentally trained in a uniform manner in the spirit of the National-Socialist revolution in accordance with the Fuehrer's decree of 9.9.33.

2. All students of the 1933 leaving certificate age group will be regimented it being a matter of indifference whether they are S.A. men or candidates for the S.A. and such as worked in some job for some reason between matriculation and studying and are only now in their second or third term although they belong to an earlier age group.

3. According to the decree of 7.2.34 [in green pencil: not available in Cologne] S.A. service is compulsory for all German students.

In accordance with the decree of the Supreme S.A. Leadership F 6914 of the 27.3.34 [in pencil: attached] the ban on taking on newly matriculated students is raised in the period 25.4—5.5.34. Every student is thereby offered the possibility of joining the S.A.

4. The continuation of their studies depends for German students, as from their 5th term (this comes into force for the first time at Easter 1935) on the possession of a duly certified statement as to their year of service at the S.A. University Department.

The S.A. University Department lays down the following times, in agreement with the Rector, for reporting for service in the S.A. University Department:

From the 23 April to the 10 May 1934 daily from 10:00 to 12:00 o'clock in the Sociological lecture room.

University, Room 135 (entrance through room 132)

Cologne, 14 April 1934.

The head of the S.A. University Department, Cologne.

[signed] Deputy, Truppfuehrer.

TRANSLATION OF DOCUMENT D-972

Extract from SCHULTHESS'S CALENDER OF EUROPEAN HISTORIE EVENTS.

Published by Ulrich Thuerauf.
New Series. 50th year of publication.
Volume 75 of the whole series. 1934.

Publishers and Booksellers C. H. Beck
Munich 1935

Page 557 20-22 February

Eden's conversation with the German Government in Berlin.

The British Government publishes in its White Book the following statement made on the occasion of Mr. Eden's visit to Berlin regarding the point of view taken up by the German Government with reference to the United Kingdom Memorandum:

* * * The German Government would be prepared to concur on the basis of the reciprocity of the laying down of further regulations aimed at securing the non-military character of the SA and SS, suggested to Mr. Eden by the Reich Chancellor on the 21st February, under which this character would be supervised by a system of controls. These regulations would state that the SA and SS (1) will possess no arms, (2) will receive no instruction with arms, (3) will not be gathered or trained in military camps, (4) will not be trained either directly or indirectly by officers of the regular army, (5) may not undertake any field manoeuvres or take part in such.

TRANSLATION OF DOCUMENT D-973

AFFIDAVIT BY KURT EHRHARDT OF HAMBURG, STEINSTR. 23

I, KURT EHRHARDT, declare on oath:

I am 51 years old. I was an independent businessman for twenty-seven years and had my head office in Hamburg and branch offices abroad. I am married and have four children.

I wished to join the N. S. D. A. P. in 1933, but the Party would not accept me as I had a Jewish brother-in-law and a Jewish partner. I had a friend, however, who was a doctor and a member of the S.S. and he was able to get me admitted into the S.S. where I was placed on the reserve.

I never did anything active in the S.S. and in 1937 I was expelled from the organization as the Party spies had found out that I had a Jewish brother-in-law and as my business was financed with Jewish capital. In 1938 my Jewish partner was able to leave Germany with my assistance. He went to London. I went to London also where my partner, Herr Fraenkel, sold me the business by a contract. We both stipulated in a secret contract that Fraenkel was to remain a partner. The present Court of Appeal Public Prosecutor of Hamburg, Dr. Klaas, was present. On my return to Hamburg the Gau refused to recognize the contract. That I succeeded in obtaining its recognition nevertheless I owe to the fearless efforts of Dr. Klaas.

After the end of the war, beginning in about May 1945, I worked for the Military Government (AD05). On about the 28.1.46 I was interned because I had been a member of the Allgemeine S.S. reserve. I remained in No. 6 Civilian Internment Camp, Neuengamme, for six months, until I was released in July 1946 and taken back by the Military Government, for which I am still working at the moment.

In my estimation there were about 3-4,000 men in No. 6 Internment Camp, among them members of the S.S., the Gestapo, and S.A. and political leaders. With the exception of a small group, to which I belonged myself all the internees had been and still remained keen Nazis.

Inside the camp the internees were organized by the senior Nazi leaders—among whom there was a number of Gauleiters, Kreisleiters and senior members of the S.S. and S.A.—along strictly National-Socialist lines. I know from my own experience that many of these senior leaders maintained constant touch with their Kreis and their former organizations outside the camp, and that they did all they could to preserve and maintain the Nazi system and there was a terrific sign of terror until the list was sent off.

About the beginning of the year 1946 a lawyer who was defense council for the S.S. visited the camp and talked with leading members of the S.S. He gave them a questionnaire which was to be filled in and signed by members of the S.S. This questionnaire, as I understood it was to be used for defense purposes.

The questionnaire contained a number of questions which were of the following nature. (I quote only from memory and cannot remember all the questions):

"Have you ever heard of atrocities which were perpetrated in concentration camps?"

"Have you ever had any knowledge of crimes committed by the SS?"

"Have you yourself committed atrocities?"

"Did you take a special SS oath?"

"Were you requested to leave the church?"

"Did you participate in the "Reich glass day", or have you any knowledge as to how it originated?"

"Did you participate in the persecution of the Jews?" etc.

I can only write about the questionnaire of the Allgemeine S.S. We junior ranks,—Unterscharfuehrer—did not want to have anything at all to do with the list. We believed that the Tribunal would reach the conclusion even without this questionnaire, that we small people had not made the horrible atrocity laws or committed the horrible atrocities. When the S.S. leaders realized our intention, a terrific working upon every individual began. The junior ranks were finally persuaded that if they did not sign, "We, the leaders, would be released, while you will have to stay here for years." They then arranged things in such a way that in each company every individual had to go to a senior S.S. leader to sign, mostly in the office. There everyone was worked on in such a way that he signed. The majority were not at all clear about the meaning of the questions, as I was able to ascertain from many conversations. If anyone was in doubt, he was persuaded and told that Nurnberg could never make inquiries owing to the large number of defendants. When I explained their stupidity to the junior ranks and told them that the senior ranks only wanted to use us to lie their way through, this led to heated discussions.

A former senior S.S. leader was always entrusted with the task of working on individuals within the companies; in my company it was a Hauptsturmfuehrer. He had me called in and placed the questionnaire before me for signature. I said "I will not sign". He said "Everyone must sign, otherwise the list will have no effect in Nurnberg". * * * I told him that I would sign no list, no matter what he might threaten me with. I did not want to sign, firstly because I had been thrown out as early as 1937 and secondly because I myself had after all told my friends that we did not have to sign, and that this was only to be done for the benefit of the senior S.S. leaders. There were rather a lot of junior ranks in this company, so that they could not really get at me with the measures I had been threatened with if I refused to sign. I was then to be removed from the company and sent to the punishment camp. By chance a large scale round up (Razzia) by the British camp authorities began, and many of these S.S. leaders were sent to the Punishment camp themselves. Soon after that I was discharged.

The German leaders in the camp did not themselves have the power to send me to the punishment camp, but there were many delicate methods of deceiving the British camp staff into sending prisoners whom they (the German leaders) wished to harm, to the Punishment camp, or into punishing them in other ways, without them (the camp staff) knowing that an injustice was being committed. Among such methods were, for example, hints via the German clerks, the German interpreters, etc.

The S.S. leaders in the camp used to like to relate all the things they had done, and I myself heard many of their experiences. From all that I heard I am quite sure that of the 400 or so members of the Allgemeine S.S. in the camp not more than 40 could have filled in the questionnaire truthfully with innocent answers.

As I myself was expelled from the S.S. in 1937 I could have filled the questionnaire in relatively truthfully, but after I was expelled I learned enough to know that no member of the Allgemeine S.S. who was on active service after 1937 (i.e. nearly everyone in the camp) could have truthfully asserted that he had never heard of atrocities which were committed in concentration camps, or that he had never heard of crimes committed by the S.S. I myself heard of the atrocities in concentration camps when my driver drove to Neuengamme camp. He was not allowed in, but saw enough from the gate. When he returned, he told me that things were bad in Neuengamme concentration camp.

[Sgd] KURT EHRHARDT.

TRANSLATION OF DOCUMENT D–975

AFFIDAVIT OF SZLOMA GOL

[Supplement to Document D-964.]

I, SZLOMA GOL declare as follows:

As the corpses were taken from the mass graves, and before they were placed on the pyre, two persons were charged with extracting the gold from the teeth of the bodies with prongs, and two or three other persons simultaneously washed the gold in benzine. The washing of the gold thus extracted was done by three Jewish boys aged 12 to 13 who were among the 80 persons in the pit. The gold was packed in boxes each weighing 8 kilograms. During the period of my stay in the pit 7 or 8 such boxes were filled with dental gold. LEGEL ordered the boxes to be neatly packed because they were to be sent to Berlin. MURER personally took the boxes with him.

I declare the above to be correct.

[signed]:
SZLOMA GOL

10 August, 1946.

TRANSLATION OF DOCUMENT D-976

Nurnberg, 13 August 1946

AFFIDAVIT OF RUDOLF DIELS

I, RUDOLF DIELS, declare the following under oath:

At the time when I was head of the Secret State Police (Gestapò) in Prussia I received from various sides—among others from the American journalist LOUIS LOCHNER—serious complaints about ill-treatments by SA men in concentration camps. I learned that the SA guards had badly ill-treated the following persons in the concentration camp Oranienburg: Mr. EBERT son of the former Reich President, ERNST HEILMAN, the leader of the Prussian Social Democrats, the Reichstag President PAUL LOEBE, and the Oberpraesident LUKASCHEK. These concentration camp inmates, who had been apprehended by the SA, had also been severely beaten by the SA guards and they had further been forced to hold lectures in which they had to praise National Socialist politics.

I myself have gained confirmation of those ill-treatments on the occasion of an inspection tour through the camp Oranienburg. At that time the commandant was SA leader SCHAEFER. For a short time conditions improved after my interference, then they deteriorated again. I myself did not succeed in removing SCHAEFER, since he was backed by the SA leadership. The SA has also carried out severe ill-treatments and killing of defenseless prisoners in other camps, such as for instance in the moor camps in the West near Papenburg. The SA has murdered the former police president OTTO EGGARSTAEDT of Altona and HEILMANN was shot at, he died later. I know all this from complaints, on the basis of which I tried to help, I also succeeded in achieving the release of several persons and thus managed to save their lives.

Read, approved of, subscribed to and sworn.

[sgd] Rudolf Diels

Sworn before me this 13th day of August 1946

[sgd] Anthony Marreco
Lieut. Commander R.N.V.R.

Berlin W.35. 29.11.37
Tirpitzufer 72/76
Tel. B 1 Kurfuerst 8191

The Reich War Minister and Commander-in-Chief of the Armed Forces:

WA, No. 1961/37 Most Secret L IV a
(When replying, please quote above reference and give date and contents in brief).

[Stamp]

Most Secret

Re: Plenipotentiary General for War Economy

To the Commissioner for the Four Year Plan, Ministerpraesident General Goering, Berlin

Dear General Goering:

As provided in Section 6 of the Reich Defense Law, the Fuehrer and Reich Chancellor, when declaring the state of defense, provided for the appointment of a "Plenipotentiary General for War Economy G.B." for the direction of the war economy as a whole. By virtue of a decision of the Reich Cabinet of 21.5.1935 he has already taken up his duties in peacetime.

The Fuehrer and Reich Chancellor, by a special decree, had appointed the President of the Reichsbank directorate, Dr. Schacht, as Plenipotentiary General, and he was at the same time charged with the direction of the Reich and Prussian Ministry of Economics.

Because I deem it necessary that the position of Plenipotentiary General should continue to be combined with that of the Reich and Prussian Minister of Economics, I intend to suggest to the Fuehrer and Reich Chancellor that he should appoint the Reich and Prussian Minister for Economics, Funk, as Plenipotentiary General, effective immediately, and strengthen his operational staff as regards constitutional law, through the appointment of a Secretary of State.

The urgency of unified further work on all preparations for the conduct of the war does not admit of this office being paralyzed until 15.1.1938.

May I have your opinion on this matter?

Heil Hitler!
signed v. BLOMBERG
1.12.37
[Illegible Initials]

Most Secret
No. 1961/37 Most Secret. IV A.
To War Economy Staff.
The above copy is transmitted with the request that it be noted.

[Stamp]
[signature illegible]
War Economy Staff, War Economy Ia.
Dec. 2 1937.
No. 3333/37/Secret Encl.

TRANSLATION OF DOCUMENT EC–270

DRAFT [rubber stamp]

9 April
Berlin, 27 April 1938

War Economic Staff
File No. 11 b W Wi Ia
No. 923/38 Top Secret
2 copies
2nd copy
Ref: 610/38 Top Secret L IV a of 9 April 1938
Subj: Attitude of the Supreme Command of the Armed Forces (OKW) toward the Plenipotentiary General for the War Economy.

TOP SECRET [rubber stamp]

To L, through Lt. Col. Hinnemann on 27 April. Registered 21 April 1938 Bl.

The interpretation, which the Plenipotentiary General for the War Economy has given the decree of the Fuehrer and Reich Chancellor of 4 February 1938 in his letter "GB No. 649/38 top secret of 31 March 1938" toward the Reich Minister and Chief of the Reich Chancellery, does not in any way correspond to the necessities of total warfare.

The demands which warfare has to make of economy are decisive for the mobilization preparations. The achievements of the economy, however, reach their full importance only then when these mobilization preparations are being directed along similar lines. These lines must be in accordance with the requirements of national defense. They form one of the most important provisions for the supply of the armed forces and therewith for the fighting ability of the units.

It must therefore be requested that you agree with the opinion in the planned conversation with General Field Marshal Goering that the Plenipotentiary General be dependent on the directives issued in the general name of the Fuehrer and Reich Chancellor to the Supreme Commander of the Armed Forces (OKW) in all questions of minor importance in this field the Supreme Command of the Armed Forces (OKW) has the right to make decisions in case of arguments, without having the point of the argument brought before the Fuehrer and Reich Chancellor for his decision. The working side by side of the branches of the armed forces dealing with the preparations for the economic mobilization and the Plenipotentiary General for the War Economy prevents almost in all fields a clear picture about the potential de guerre.

In order to justify the necessity of the right of directive the following details are pointed out:

1. The dependence of the armament sector on the remaining sector of economy, and thereby the whole mobilization preparation require, that directives about the extent and speed of the mobilization preparations be issued by the Supreme Command of the Armed Forces.

2. The armament industry adjusts its size to the requirements of the Armed Forces. Therefore, in the interests of national defense it must remain the right of the Supreme Command of the Armed Forces to decide to what extent industries will be declared armament industries. After the past experiences however, the debtors [Aussenstellen] of the Reich Economic Ministry often oppose such a declaration of armament industries.

3. The Armed Economic Order [Wehrwirtschaftsordnung], which is to regulate the cooperation between the Supreme Command of the Armed Forces and the Plenipotentiary General on the basis of the national defense law, has been completed in draught form by the Armed Forces as far as this is possible without the cooperation of the Plenipotentiary General. The Plenipotentiary General in his part has refused his cooperation in this fundamental plan for the time being. Although a clear determination of the authority of the civilian and military authorities in the war economic field urgently needs to be settled, the further continuation of working on the plan has become impossible through the attitude of the Plenipotentiary General at present.

4. The distribution of the total population (requirements of the Armed Forces and mobilization of labor) must be decided from the standpoint of warfare. Only the Supreme Command of the Armed Forces can determine if the operational situation requires an increased use of men at the front or in the war economy. The use of human labor, in wartime must therefore be placed under the control of the Supreme Command of the Armed Forces in peacetime already.

5. The food economy is also decisive for the fighting ability of the units and occasionally of decisive importance for military operations.

An exact knowledge of the food situation and cooperation in measures in the food economy on the part of the Supreme Command of the Armed Forces are therefore required already in peacetime.

Previously it has not been possible to receive a report on the war food situation from the Plenipotentiary General or even only reasonably dependable reports on the necessary food requirements of the civilian population in wartime. As long as no right of directive exists it will be impossible to receive these reports.

6. The use of raw materials decisively influences the supply situation of the Armed Forces in wartime.

7. The usual equipment is only to be secured by the order of the Supreme Command of the Armed Forces, because the equipment of the units and thereby their fighting preparedness depends on this. For this the Supreme Command of the Armed Forces (OKW) must be able to assemble the installations for industrial economy to the extent it appears necessary to the interest of the country's defense.

8. In the field of transport facilities, uniformity is essential. During one of the transport actions carried out recently, the individual officers of the Plenipotentiary General discussed this from completely various viewpoints and from a different one than was taken during the usual war economic-inspection procedure, so that the result is hardly of use. The directory law of the Supreme Command of the Armed Forces (OKW) could have avoided this:

9. In the court of a mobilization at the present time in the Reich, there is a shortage of approximately 40,000 trucks. With the mobilization, the Armed Forces will therefore either not receive the necessary trucks, or parts of the war economy will collapse, since the necessary transports cannot be driven. In the interest of her supplies, the Armed forces must therefore request that the management make possible the procurement of the trucks lacking through tax reductions and release of raw material.

The Supreme Command of the Armed Forces (OKW) must use its influence to expedite the procurement of the trucks lacking.

The war economy which is subordinated to the Plenipotentiary General represents the war economic stage of the armaments industry. If this stage fails, the striking power of the Armed Forces becomes questionable.

The undertaking Otto has brought numerous proofs that the lack of uniformity in the direction of economy will lead to severe disturbances.

The greatest part of all points of friction and difficulties can be eliminated, as soon as it has been clearly decided that the Plenipotentiary General in all questions of provisions for the Armed Forces must conform to the orders of the OKW.

CHIEF AUTHORITIES

For the files II b

A 26/4
[illegible initial] 26/4
[illegible initial] 26/4
[illegible initial] 26/4

TRANSLATION OF DOCUMENT EC-271

COPY

75.) 9.4.
4/27
Berlin, 4/6/1938
4/27

The Minister of the Reich and Head of the Reichschancellery
R.K. 153 B g Rs vol. 94-4

Top Secret
[Geheime Kommandosache]
E 271

To the Chief of the Supreme Command of the Armed Forces (OKW)

General of Artillery Keitel or to his Official Deputy.

Dear General:

The enclosed copies, concerning the Plenipotentiary for War Economy and the decree concerning the command of the armed forces, dated February 4, 1938, are respectfully submitted, with request to take notice.

Heil Hitler!
W 4/12 Very sincerely yours
[signed] Dr. Lammers

2 enclosures [Rubber stamp] WSTb. W Wi I a
11 April Tb a II II/4
1938 I
Az
Nr. 923 138 gk. Anl.

(Very Urgent!)

Nr. 610/38 g. Kdos. IV a

Top Secret

To W Stb.
Above copy transmitted with request to take notice.

I.A.
[signed] Mueller.
1 a Spitzengliederung 11 b

[Pencil note]
2.I.U.C.

COPY

Berlin 31.3.1938

Copy to Rk. 153 B.G.Rs.
The Plenipotentiary for
War Economy.
G.B. 649/38 g. Rs.

Top Secret

To the Reich Minister and Head of the Reich Chancellery Dr. Lammers Berlin.

Dear Dr. Lammers:

In connection with a trip to Austria I have among other matters talked to General Fieldmarshal Goering also about the position of the Plenipotentiary for War Economy. I have pointed out that—contrary to the attitude of the OKW of which I was informed the decree of 4 February 1938 concerning the leadership of the Wehrmacht did not change the position of the Plenipotentiary for War Economy. Aside from the fact that this decree, according to its heading, applies exclusively to the "command of the armed forces", the tasks of the OKW, as mentioned especially in the last paragraph in question, are dependent upon instructions of the Fuehrer. Moreover, to the instructions of the Fuehrer, belongs also the decision of the Reich Government of 21 May 1935, according to which the Plenipotentiary for War Economy, in his sphere of duty as Supreme Reich authority, is immediately subordinated to the Fuehrer.

General Fieldmarshal Goering assured me that my interpretation, as mentioned above, was correct in every respect and also corresponds with the Fuehrer's opinion. I asked him to give me a brief written confirmation. General Fieldmarshal Goering promised to grant this request.

I am transmitting these facts to you for your information, so that you may make use of them, should the occasion arise.

Heil Hitler!
Yours
[signed] WALTER FUNK.

COPY

Berlin, 6 April 1938

Copy to Rk. 153 B.g. Rs.
The Reich Minister and Head of the
Reich Chancellery
Rk. 153 B. g. Rs.
Re: Letter from the Plenipotentiary for War-Economy
G.B. 649/38 g. Rs.
regarding decree concerning command
of Armed Forces, dated 4 February 1938.

Top Secret
[Geheime Kommandosache]

To the Reich and Prussian Minister of Economics Walter Funk or official deputy.

Dear Mr. Funk!

When reporting to the Fuehrer and Reich Chancellor the draft of the decree concerning the command of the Armed Forces, dated 4 Febr. 1938, I extended my report also to the Plenipotentiary for War Economy. The Fuehrer and Reich Chancellor expressed himself in a definite manner, to the effect that his previous instructions with regard to the Plenipotentiary for War Economy, were in no way affected by this decree. The wording in the last paragraph of the decree was formulated in its present manner, for the precise purpose of corresponding with the conception of the Fuehrer. In consequence the position and the sphere of duty of the Plenipotentiary for War Economy have not been altered by the mentioned decree.

Both, General Fieldmarshal Goering and the Commander of the OKW have received one copy each, of your letter of 3.3.1938, as well as of this letter.

Heil Hitler!
Very sincerely yours
[signed] Dr. Lammers

TRANSLATION OF DOCUMENT EC-318

Conference of Presidents under the chairmanship of the Plenipotentiary General for the Commitment of Labor (Arbeitseinsatz), Gauleiter SAUCKEL, held on 15 April 1942

The Reich Minister of Labor, who arrived accompanied by the "Staatssekretaere" Dr. SYRUP and Dr. ENGEL and who remained here throughout the meeting, has welcomed Gauleiter SAUCKEL, assured him of the close cooperation of the departments that were made available to him, and emphasized that differences which still remained would be settled in the most friendly manner in the course of a discussion between him and SAUCKEL.

Gauleiter SAUCKEL thanked him for the friendly welcome and asked that he should not be considered an intruder. He had been surprised by the mandate given to him, and he considered it a temporary mandate. He was wholeheartedly a Gauleiter and had no intention of becoming a Minister of State. He considered the mandate as having been entrusted to him for the duration of the war only. Besides, the question was not which person would carry out the Fuehrer's difficult mandate to regulate the commitment (Einsatz), but that the regulating work would be carried out. To him the difficulty of the task appeared to be the fact that it was not only an organizational and mechanical problem but that it was work involving the Germans. All his co-workers would have to remain conscious of the fact that they were regulating and committing people of German blood, with a German soul, and that fact invested their work with serious responsibility. That was also why he considered it necessary to work in closest cooperation with the Party, which was charged with leading the human element in Germany; that was why he had appointed the Gauleiters as his deputies. That did not mean that the Presidents of the State Labor Offices [Landesarbeitsaemter] would be subordinated to the Gauleiters, but merely that they should cooperate with the Gauleiters in comradely fashion, so that the latter could facilitate their difficult tasks. He requested that the President and Trustees who were present should immediately call on the Gauleiters. He, on his part, would take care of the correct briefing of the Gauleiters, and would also see to it that no interference with departmental work would occur.

SAUCKEL estimated manpower requirements at one million, to which number another 600,000 workers would be added in the course of time. Replacements would have to be procured for 370,000 skilled workers drafted into the Armed Forces. The drafting of these 370,000 skilled workers meant a serious handicap for the armament industry; it would have to be made up by raising the idealism and work morale of the remaining workers, by spurring key workers on to maximum effort; and that would also lead to extensive integration of the Party and of the German Labor Front.

He had discussed his task with the Fuehrer in a conversation that had lasted for several hours, and immediately after that he had discussed it with the Reich Marshal for more than eight hours. The most important solution envisaged by the Fuehrer, the Reich

Marshal and himself was in exploiting the manpower of the East; all previous directives were cancelled, and all previous misgivings had been put aside. One million Russians would have to be brought into the Reich as rapidly as possible; with such speed that the output of some of these Russians would become available even prior to the offensive. Prisoners of war presently on hand would have to be utilized as rapidly as possible. The principal effort would be devoted to the recruiting of Russian civilians.

The prerequisite for his acceptance of his mandate had been the assurance that Russians would be fed approximately the same ration allowance that was in force for the German civilian population. He had been in a position to accept his mandate only after he had been assured of that by the Fuehrer, by Reich Marshal GOERING, by Reich Minister DARRE and by State Secretary BACKE. In order to maintain the productive strength of the Russians it was necessary to feed them at the level of the ration allowances now in force for the German civilian population. He has based his opinion on the experience of a Russian of German ancestry who had worked in Russian exile for many years and who had gathered his experiences in the Russian Deportation Camps. He convincingly stated that the food supply for deported Russians in the work camps had been at least as ample as food supply allotted by the current German rationing. Furthermore, the food supply should be adapted to Russian national habits. The better they would be fed, the greater the output that could be squeezed out of them. The goal towards which he was working was the establishment of plants employing solely Frenchmen, Belgians and Dutchmen.

But he would not only have ensured their food supply; he had also taken into consideration the emotional reaction of Russians brought here for work. Therefore his second demand had been that the barbed wire would have to go. He had succeeded in that also, in the course of negotiations with the Reichsfuehrer SS. The Russians would be billeted in compact camps, which would be guarded; they could be taken out by guards, and they would be trained and taken care of by the Party. They would have to be handled so roughly by the German administration in the East that they should come to feel that they would prefer to go to Germany for work. Thirdly, he had termed the prevailing wage rates decreed by the Reich Marshal as intolerable, and had persuaded the Reich Marshal that Russians should have the possibility to earn up to one half of the wages of German workers. What they could not use in the camps would be credited to them in a savings account, and they would receive a Savings-book listing their savings.

It would be explained to them that after their return to Russia, they could acquire land with their accumulated savings and establish themselves there (contrast to Communism).

To recapitulate the Russian problem, one would have to state that the spiritual prerequisites for the Russians had to be created in Germany in order to make it possible to demand output from them. Once these spiritual prerequisites had been created, the necessary output would have to be demanded most energetically also, and it would be self-understood that their treatment would be tough and just.

TRANSLATION OF DOCUMENT EC-366-1

Berlin, 11.10.38

Koechling,
Lt. Colonel and Special Delegate
of the OKW to the Youth
Leader of the German Reich
6 copies
4th Copy
Br. B. No. 6/38 Top Secret

TOP SECRET

Army General Staff
Dept. 2, No. 2285 Top Secret
Received 12.10.38 Group III

Report on activities as Liaison Officer of the OKW with the Sudeten German Freikorps (Free Corps)

1. On the 17.9 I received the following instructions from the Fuehrer at the Obersalzberg for the Sudeten German Freikorps.

Continuous harassing along the active front by the Freikorps. To be carried out in the form of small undertakings against Czech posts, guardhouses, etc., appearing as groups of terrorists; formations of the Freikorps to be made according to the home districts of the members, so that they operate from opposite their particular home districts.

On the 18.9 a detailed discussion took place between Konrad Henlein and myself concerning the tasks and the organization of the Freikorps, which was in the process of being formed. There were an estimated 10,000-15,000 men in the reception camps and villages along the active front, only a very small part of them being armed.

The chain of command was fixed to the effect that one Group (I) in Breslau, one Group (II) in Dresden, one Group (III) Bavarian Austria in Bayreuth, one Group (IV) in Vienna (since the

28.9 six groups corresponding to the army sectors) were formed by the Command Staff of the Sudeten-German Freikorps (Donndorf near Bayreuth).

These groups in their turn formed battalions, the number of which varied from 3 to 18. From the battalions approximately 4 to 8 companies had been formed. The formation of the leadership corps and that of the staffs presented the greatest difficulties.

Supplies had been organized by the SA in conjunction with the NSV (Nat. Soc. Welfare Organization) and went smoothly from the very beginning.

The very small amount of arms consisted of Austrian carbines that had been supplied by the Austrian SA.

It is only thanks to the almost summerlike weather that there was no great falling off in numbers for reasons of the totally inadequate civilian clothing (for the greater part was without coats and headdress).

With magnificent camaraderie and unselfishness, the Supreme SA leadership had looked after the Freikorps materially. The NSKK had also given a hand by supplying lorries, cars and motorcycles.

The formation of the 4 group staffs was ordered: they were for the time being to form the available masses into battalions and to subdivide them again into companies. In this it was laid down that the maximum strength of a battalion should be 1,000 men, that of a company 200 men. As regards weapons, the army helped with available Austrian stocks. The dispatch of rifles, hand grenades, ammunition as well as some machine pistols and light machineguns was arranged. Equipping and feeding remained in the care of the NSV and of the SA. The financial expenditures for feeding and for pay was accepted by the Wehrmacht.

The groups were ordered to carry out actions, which the Fuehrer had demanded should be numerous and intensive, for the time being in the form of 10 undertakings during each night. The carrying out of such shock troop undertakings was explained to the leaders of the group who were present.

The organization of the signals service created the greatest difficulties. Only through the support of the NSKK was a dispatch system made possible on the group fronts which were up to 250 km. in extent. Here again the SA helped in part with available signals apparatus. In spite of the reporting centers installed behind each sector of the front, the conveying of orders took up to 12 hours to begin with.

The leaders of the groups reached their areas by the afternoon of the 18.9, so that the first undertakings took place already during the night from the 18th to the 19th.

The building up of the groups and staff in the manner ordered was only possible owing to the effective support of the liaison officers provided to each group by the OKH, with whose help it was possible to reorganize the Freikorps so thoroughly by the 25.9 that supply, a regular formation and fighting could take place with a certain amount of prospects of success. In this the liaison officers were particularly well supported by the German SA leaders from the Reich who had been put into the Freikorps battalions by the SA; without their camaraderie and their readiness to do their duty the Freikorps could not have carried out its task.

The supreme leaders appointed to the Freikorps by the supreme SA leadership also contributed essentially to the building up of the Freikorps and to its successes. Their cooperation with me was exemplary. The leaders seconded from the SS leadership were present as observers in the staff of the Freikorps without participating in the building up.

3. There were several clashes with the Reinforced Frontier Patrol Service (VGAD) as the liaison between the two bodies did not work perfectly. This friction increased with the mounting of the Frontier Protection Service (Grenschutz)—in some cases in an unpleasant way. After the Command Staff and the liaison officers had continually worked in this direction on the groups, better cooperation came about in course of time.

With reference to the units of Organization K employed on the Silesian front who were under the command of the Wehrmacht (Counter-Intelligence) a sharp order issued by Konrad Henlein was necessary to overcome the lust for power of the group commander in charge there.

4. At the end of the first week (25.9) a certain consolidation and more successful working—both with regard to inner organization and to the execution of fighting actions—was recognizable, thanks to the tireless work of all units. The bringing up of arms and ammunition repeatedly caused the greatest difficulties. Yet here, too, owing to the continual willingness to help of Admiral Canaris of Dept. 2 of the General Staff and of the SA, it was possible to increase stocks of these to such an extent that on the 1.10 50%-60% of the front line fighters were armed. The lack of hand grenades and equipment continued. (See App. 2.) The OKW's decree regarding the Freikorps' welfare and supply was accepted with particular thanks.

The fact that the Volksdeutsche Mittelstelle (Central Office for persons of German race) was brought in, and wanted in part to claim powers of command over the Freikorps, had the effect of making the powers of command and the supply of material more difficult. The sudden supplying of the Freikorps through the Gau headquarters had an equally stultifying effect. Owing to lack of any stocks, these headquarters had, in their turn, to have recourse to the SA. This led to a delay in supplying the troops. Then, a few days later, the SA again completely took over supply as the result of an agreement.

5. The 1.10 brought about a fundamental change in the position, in as much as the Freikorps was subordinated to the Supreme SS leadership. The OKW continued to take care of feeding and payment until the 5.10.

At the same time the Obergruppenfuehrers who were working on the orders of the Supreme SA leadership intended to stop supplies by the SA. The Command Staff of the Freikorps was unable to call upon the SS leadership, which had now become responsible for the Freikorps, to take over the task of continuing to supply the Freikorps.

6. Among the leaders of the lower Freikorps units, too, there arose from this day on a certain agitation which threatened to endanger the inner structure of the corps which had been attained after much effort, in as far as it was justifiably feared that the SA leaders who had proved their worth in battle and in the task of building up would be replaced by leaders from the SS.

A letter to this effect from me to the Fuehrer's adjutant had as its effect that the Fuehrer devised unconditionally that the build-up of the Freikorps as regards personnel should remain as heretofore.

Under pressure of events and out of a feeling of comradeship, the SA drew upon its last stocks without reserve in order to give the troops striking power, although it was no longer bound to do so after the new subordination of the Freikorps.

On the 2nd October police general Daluege had a conference with the chief of staff of the Corps in order to regulate the activities of the Freikorps. The leaders of the Freikorps now believed that they would receive supplies and the necessary orders for further tasks through the police. They were, however, disappointed in this respect, in that nothing happened to this effect. On the 3rd October general of the police Muelverstedt arrived and issued only local and temporary instructions and left the urgent question of financial and material supplies unsolved. This lack of clarity in the position was passed on to the troops who, in spite of strict orders, began to lose their unity (frequent, illegal absences, in particular among the peasant and artisan elements).

On top of that came the fact that the SS who had so far done nothing for the development of the Freikorps—began recruiting leaders and the elite of the troops in the Freikorps. Because of that there began an understandable exasperation on the part of the SA leaders. These things went so far that a Gruppenfuehrer of the Freikorps went to Berlin without leave. There he was promoted to SS-Oberfuehrer and reappeared only several days later in the Fuehrer's SS retinue. In order to win over the senior leaders of the Freikorps, the deputy of the Sudeten German leader and the chief of staff were offered high posts in the SS. But they did not accept them.

The fact that under such circumstances the inner structure of the force was bound to suffer was comprehensible, particularly as the fighting could no longer remain a link after the advance of the Armed Forces. The idea of disbanding the Freikorps after the conclusion of the military action, which I proposed to Konrad Henlein and his deputy in the early days already, gradually gained the upper hand, even though some leading persons were against it—not so much for logical reasons as for reasons of power. Since the "placing at the disposal" or since the placing under the orders of the SS for police duties I have interfered only in as far as the interests of the Armed Forces were directly affected. (Arbitrary headstrong advancing of ambitious junior commanders.) It was shocking to witness how two components of the State (leaders of the SA and SS) stood in more or less latent antagonism to each other, the effects of which were detrimental to the direction and unity of the troops.

Here lies the reason for the presence in Berlin since the 28th.9. of Konrad Henlein, who intended to deflect the local political currents into a direction favorable to the Freikorps. The actual leadership of the Korps was in the hands of the very active and methodical Chief of Staff (formerly a senator in the Czech Parliament and one time officer on the Royal and Imperial (Austrian) General Staff).

I left the Freikorps in this condition on the 4.10.

The experiences arising from this improvisation have shown that it was possible to employ a troop usefully in defensive tasks and in the task demanded by the Fuehrer even when it was only badly and un-uniformly trained and equipped—if it was moved by limitless patriotism and selfless readiness to serve, and animated by the will to fight. To have carried out military actions with this force in a large body and on a wider front—which the leaders were persuaded out of at the very beginning owing to its being misguided—would only have led to bloody reverses. The spirit of the force was fundamentally magnificent, in spite of those who wanted to go home. It varied according to the locality from which the troops were drawn (Egerland was first-rate).

The force carried out more than 200 minor undertakings, in which they lost nearly 100 dead and more than 50 wounded, and captured more than 2000 prisoners and a great deal of booty of all kinds (see Appendix 1), so that the task which the Fuehrer had demanded as a foundation for his foreign political negotiations may be considered as having been completed.

[signed] Kuechling

Distribution:

OKW Chief	1
L.	1
Foreign Dept/Counter Intelligence Chief	1
Dept. 2, General Staff of the Army	1
Lt. Col. Kuechling	1
Reserve	1
Total	6

APPENDIX I to: Lt. Colonel Kuechling, Special OKW delegate to the Youth Leader of the German Reich No. 6/38—Top Secret

TOP SECRET

Command of the Sudeten German Freikorps
Records and Reinforcements Dept.

Number 015
Report I—VI/9

Total review of all actions of Groups I to VI
Date 1st October 1938 Report 1900 hours

Description	To Date	I	II	III	IV	V	VI	Total
I Accomplished Actions	144	0	4	15	0	0	1	164
II Successful Actions	70	0	1	3	0	0	1	75
III Enemy Losses								
Dead	96	0	0	11	0	0	3	110
Wounded	50	0	0	0	0	0	0	50
Taken prisoner	2027	0	0	2	0	0	0	2029
IV Own Losses								
Dead	50	0	0	1	0	0	1	52
Wounded	57	0	3	4	0	0	1	65
Missing	16	0	0	3	0	0	0	19
V Captured Arms and Valuable Objects								
Various arms	49	0	0	0	0	0	0	49
Light machineguns	22	0	0	0	0	0	0	22
Heavy machineguns	2	0	0	0	0	0	0	2

Description	To Date	I	II	III	IV	V	VI	Total
Rifles	340	0	0	0	0	0	1	341
Revolvers	61	0	0	0	0	0	0	61
Ammunition	32000	0	0	1000	0	0	0	33000
Hand Grenades	532	0	0	0	0	0	0	532
Lorries	3	0	0	0	0	0	1	4
Motorcycles	2	0	0	2	0	0	0	4
Bicycles	2	0	0	2	0	0	0	4
Ambulances	1	0	0	0	0	0	0	1
Carbines	4	0	0	0	0	0	0	4
Cars	3	0	0	0	0	0	0	3
Locomotives	4	0	0	0	0	0	0	4

APPENDIX II to: Lt. Colonel Kuechling Special OKW Delegate to the Youth Leader of the German Reich

No. 6/38 Top Secret

COPY

No. 015
Report No. 9
Day 1-10-1938
Time of notification 1900 hours

Command of the
Sudeten German Freikorps
Records and Reinforcement Dept.

TOP SECRET

A. Establishment and new repartition of the Corps

	Battalions		Companies formed	No. of men on the strength
Group I (Vienna)	6		32	5365
Group II (Linz)	5		20	4748
Group III (Bayreuth)	5		28	4753
Group IV (Dresden)	2	sub-	15	2454
	9	sections	27	10200
Group V (Hirschberg)	3		12	1260
Group VI (Breslau)	7		28	3574
	1	Reserve Battalion	4	1600
Total	38		166	33954

B. Equipment State for all Groups (in accordance with reports received to date)

Item	Quantity	Item	Quantity
1. Heavy MG's	62	9. MG ammo.	32280
2. Light MG's	27	10. Side arms	425
3. Rifles	13545	11. Lorries	2
4. Rifle ammunition	847190	12. Motor boats	3
5. Revolvers	1274	13. Aircraft	1
6. Revolver ammo.	62691	14. Automatic pistols	14
7. Hand grenades	996	15. Steel helmets	15
8. Carbines	210		

28 June 1945

STATEMENT PREPARED BY WALTER FUNK ON THE RELATIONSHIP OF GERMAN INDUSTRY TO THE PARTY AND THE NATIONAL SOCIALIST LEADERSHIP OF THE STATE.

1. Before the Nazi Seizure of Power:

I did not take knowledge of this until the year 1931, having previously paid little attention to party politics and not having been a member of any party. The economic circles with which I was mainly connected as writer and editor of a large daily paper belonged predominantly to the "Deutsche Volkspartei", partly also to the "Deutschnationalen" and "Demokraten".

August REINRICHSBAUER in Essen, whom I had known for many years as editor of an economic publication, introduced me to Oberleutnant Schatz who played a role in the Party as closest helper of Gregor Strasser to whom he introduced me personally. STRASSER, SCHATZ, REINRICHSBAUER and his friends in industry, especially the leading personalities of the *Verein fuer die bergbaulichen Interessen im Rheinland und Westfalen* [Association for mining interests in the Rhineland and Westphalia] strengthened me in my decision to enter the NSDAP in order to persuade the Party to follow the course of private enterprise. At that time the leadership of the Party held completely contradictory and confused views on economic policy (Feder, Wagner, Keppler). I tried to accomplish my mission, by personally impressing on the Fuehrer and the Party as a whole, that private initiative, self reliance of the businessman, i.e. the creative powers of free enterprise, be recognized as the basic economic policy of the Party. The Fuehrer personally stressed time and time again during talks with me and industrial leaders, to whom I had introduced him, that he was an enemy of state-economy and of so-called "planned economy" and that he considered free enterprise and competition as absolutely necessary in order to gain the highest possible production.

My industrial friends and I were convinced in those days that the NSDAP would come to power in the not too distant future and that this *had* to be if communism and civil war were to be avoided.

At that time (early 1931) I learned of the existence of friendly relations between GEHEIMRAT DR. EMIL KIRDORF, the leading personality of the Ruhr coal industry, and the Fuehrer. I have never met KIRDORF personally. Through KIRDORF and later through FRITZ THYSSEN the Fuehrer was introduced to influential Rhenish-Westphalian industrial circles who supported him and the party financially. These payments as far as I learned, had not amounted to one million Reich Marks by 1931-32. I do not know how much was contributed previously nor how much was given by other circles. At any rate the amounts were trivial compared to the amounts running into the millions with which industrial circles continuously supported other parties, especially the "Deutsche Volkspartei", "Deutschnationalen", and "Demokraten". The Social-Democrats were mainly supported by banks and concerns whose directors had personal connections with Social-Democrat party officials, as, for instance, the Berliner Gross Brauereien [Breweries].

Among the Rhenish-Westphalian great industries the following men (among others) stayed aloof during those early days (1931–1932): KRUPP, PETER KLINKER, REUSCH (GUTE HOFFNUNGSHUTTE) and young HUGO STINNES who, however, no longer played any part after the concern collapsed. Definitely in favor of National Socialism were besides KIRDORF: his nephew KAUERT, THYSSEN, TENGELMANN, SPRINGORUM, VOEGLER, KNEPPER, WINKHAUS, BUSKUEHL, KELLERMANN. THYSSEN was in very close contact with GOERING, especially through the later State Secretary GRAUERT, who was at that time the head of an industrial union in Duesseldorf. In the I. G. Farbenindustrie, the following were liaison men to the party: Director von SCHNITZLER and Dr. GATTINEAU who was the private secretary of GEHEIMRAT DUISBERG. I personally after an hour long discussion at Leverkusen, won over GEHEIMRAT DUISBERG to an attitude toward the NSDAP that could at least be termed neutral.

Director von WINTERFELD tried to obtain understanding for the party at Siemens whose management was Democratic. The A.E.G. stood aloof. BERGMANN was won over to the party by KESSLER who later held a leading position with TODT and SPEER.

The large industrial enterprises in central Germany had a definitely reserved attitude toward the party in those days. It was possible for the Fuehrer to win to his side parts of these circles with an address at a meeting of the leading personalities of the central German browncoal industries, (Deutsche Erdoel, BREBEG, LEOPOLD, ANHALTISCHE KOHLENWERKE).

The potassium industry under the leadership of Rosterg and Diehn already at that time had a positive attitude toward the Fuehrer and the party.

BARON von SCHROEDER (Cologne) had the closest relations to the party within the banking world. His senior chief STEIN was a friend of Dr. SCHACHT. I introduced Dr. OTTO CHRISTIAN FISCHER (Deutsche Credit Gesellschaft) and FRIEDRICH REINHART (Commerzbank) to the Fuehrer personally. Dr. von STAUSS of the Deutsche Bank had connections with the Fuehrer, GOERING and Dr. GOEBBELS. Late in 1931 or early in 1932 I was visited by Dr. SCHACHT who told me that he had joined the Party as he too was convinced that the NSDAP would soon take control of Germany. SCHACHT, who at that time was working with Dr. von STAUSS, had already made personal connections with GOERING. He again had contact with Dr. SCHACHT and HILGARD of the Allianz Insurance Corporation and the Munich Corporation (Reinsurance). I introduced SCHMITT and HILGARD, as well as Dr. LUBBERT of the Verkehrswesen A.G. and the Baugesellschaft Lenz and Company, to the Fuehrer.

Hamburg shipping circles under CUNO and commercial circles in Bremen under ROSELIUS also had relations to the party.

The powerful Cologne industrialist and businessman OTTO WOLF supported the party financially through Dr. LEY. Individual provincial leaders in addition probably had their own connections with concerns within their territory.—(Rust-Hanover with Conti-Rubber: Murr (Stuttgart) with Krehn-Trossingern.) I cannot remember particulars. The medium industries were largely in favor of the Deutschnationalen and Volkspartei. The same holds good for the Silesian mining industries and wholesale concerns.

Retail trade, craftsmen, the middle classes, impoverished by inflation, war veterans thrown out of their ordinary career, and especially officers, were the main voters for National Socialism.

WILHELM KEPPLER, who later became State Secretary and who served as economic advisor to the Fuehrer for many years before me, assembled a special circle of industrialists. KEPPLER had connections with the South German industrialists, but also with KRUPP and concerns in Hanover and he also knew Baron von SCHROEDER (Cologne). He participated in the famous Fuehrer-von PAPEN meeting held with SCHROEDER and was also founder of Reichsfuehrer HIMMLER'S organization "Freundeskreis der Wirtschaft" [Friends of Economy]. Other members of this organization were KRAHNEFUSS who, with KEPPLER'S friends (RASCHE, MAIER and LUER) dominated the Dresden Bank and who later became general director of the Brabag. The fuel production of the entire brown coal industry were included in the Brabag.

2. After the Seizure of power:

I kept in touch with the industrialists despite the fact that after the seizure of power my field of work lay in a different direction (first press, then theater, film, music and fine arts). HUGENBERG was initially responsible for economy, then for one year Dr. SCHMITT and afterwards (since 1934) Dr. SCHACHT, in the capacity of Minister of Economics. (Dr. SCHACHT also held the position of Reichsbank president from 1933.) It was Dr. SCHACHT who organized the Financial means for the decisive March 1933 election, namely after a meeting at the house of the Reichstag president (GOERING), at which the Fuehrer spoke. Whether all of the before mentioned industrialists and financial personalities were represented and whether there were any others I can no longer remember. As far as I can remember, 7 million marks were raised as an election fund, but it could have been more. At the same time the German industrialists were urged by the Gauleiters and other party organizations to make more contributions, as well as by the S.A., S.S., and N.S.K.K. who exerted more or less pressure. The total amount so gained surely exceeded the total mentioned above.

There existed an industrial circle around ROEHM (Headed by Dr. LUBBERT) and one around HIMMLER (headed by KEPPLER). ROSENBERG'S Foreign Policy Office, the Economic Policy Office belonging to Dr. WAGENER and other party offices continually demanded and probably received contributions from industry.

Then came the so-called co-ordination (Gleichschaltungen). Dr. WAGENER coordinated large organizations (Industry, Commerce, Crafts, (N. S. Hago) under Dr. von RENTEL), Chambers of Commerce, Stock markets, but also individual concerns. This meant that the key positions were occupied by men who were acceptable to the party and especially to Dr. WAGENER and his friends. Dr. KEPPLER, Dr. WAGENER'S competitor for the position of Minister of Economics, tried to eliminate Dr. WAGENER altogether, a task at which he eventually succeeded (Summer 1933). The special measures and constant drawing on industry for "money gifts", as well as the interference in matters concerning personnel gradually ceased after the creation of the Adolf HITLER Fund (Adolf HITLER Spende) managed by KRUPP and HESS and later by BORMANN. The foundation of the Organization of Industrial Economy (Organisation der Gewerblichen Wirtschaft) was created by me during 1934 and later developed further (special report attached) and it was on this basis that industry finally started to operate without disturbance. It was also possible for me to establish a sort of "working peace" between the Deutsche Arbeitsfront (from 1938/39) and industry. This peace was however always threatened when the Arbeitsfront with its own enterprises, especially the Consumer Unions, tried to further its interests at the expense of private enterprise, undercutting established banking standards through the Bank der Deutschen Arbeit. The employers' organizations were merged with the Deutsche Arbeitsfront.

At no time did the party cease to consider industry a political and spiritual foreign body and tried time and again to bring important and decisive branches of economy under government control (mines, banks, insurance) and to bring party influence to bear on essential enterprises. Gauleiters in particular sought to obtain enterprises in their own regions, especially banks, endeavors against which I had to fight constantly. The tremendous production demands of the *Four Years Plan* and the methods applied (lowering of potassium prices), the creation of the *Hermann GOERING Works and the People's Car Project* of the Deutsche Arbeits Front aroused new disturbances and fears concerning government and party control. At the beginning of the war, however, German economy recognized and accepted, though with certain reservations (especially banks and big business), the policy of the National Socialist government and strove to satisfy the demands of armament despite the confused conditions and methods. It can therefore not be said that the groups of industrialists and financial personalities, who had sympathized with and financially supported the Party before the seizure of power continued to aid and further National ideals after the seizure, to any greater extent than other economic groups.

Entire German industry subscribed to the Adolf HITLER Spende. Thus sums running into millions (I heard of 40 or 60 million marks during the initial year) were collected. It is not known to me how or for what purposes this money was used.

Up to the time of SPEER, only very few industrialists were received by the Fuehrer and these only seldom. The opposite held true of technicians and inventors. The *Reichswirtschaftsrat* [Reich Economic Council], an organization called into being in 1933, held only one single meeting. The Fuehrer invited the men of industry and their wives just once a year into the ballrooms of the Reich Chancellory where a concert performed by leading German artists was given, in support of the *Winterhilfswerk*. It was there that the "kick-in-with-some-dough" arias were sung, as I called them. Every guest was compelled to subscribe a contribution. Individual contributions ran as high as 100,000 marks, but all enterprises were, in addition, forced to donate to the *Winterhilfswerk.* The *Winterhilfswerk* finally had almost 3 billion to its name. These funds were at times the greater part deposited with the Bank der Deutschen Arbeit until it was possible for me, through Reichsschatzmeister (Party Treasurer) SCHWARZ, to transfer the short term credits (over one billion marks) to the Reich Bank, where they belonged.

There occurred very rare and singular instances of an industrialist leader assuming an oppositional attitude. Such behavior proved harmful. Old Paul REUSCH of the Gutehoffnungshuette and his sons were once forced by the Party, with co-operation of HIMMLER, to withdraw from their business because he (Paul REUSCH) had once expressed himself against the complete and unliteral submission of productive plants to armament. It was I who made it possible, after going through considerable trouble, for REUSCH to retain concerns belonging to his family and at least to lead a quiet, retired life.

Leading industrialists on the other hand, maintained good relations and understanding with the Deutsche Arbeitsfront. There were amongst others: BOSCH (Stuttgart), BORBET (Bochumer Verein), BLOHM (Blohm and Voss), STAPELFELDT (Deschemag-Bremen), MESSERSCHMIDT, REUTER (Deutsche Maschinen Duisburg) and with certain reservations also ROECHLIN (Saarbruecken) who became one of the main supporters of armament, while Paul PLEIGER (Herman Goering Werke) rejected the Arbeitsfront strongly.

SPEER could furnish more complete and detailed information concerning the differences existing up to the last stages, between the Party and the armament industry.

3. *Extent to which German Industry Supported the National-Socialist Aims Abroad.* In treating this question three different spheres will have to be distinguished:

a. Normal foreign trade on the basis of trade agreements and other current agreements between the representatives of both governments.

b. Army deliveries.

c. Extraordinary business deals on the basis of special orders.

a. In *foreign trade* which we conducted on the basis of *agreements between two governments, private business enterprise* was predominant. With official trade organizations especially in the grain sector and in the trade with Italy, business deals were of a form which was contrary to my intentions. Trade policy and trade agreement negotiations were conducted by the *Foreign Office.* The

Ministry of Economics and the Reichsbank were essentially concerned with carrying out the technical side. Foreign trade *was the responsibility of the German foreign economy, i.e. industry, trade and banking institutions* which worked under the supervision of the official import and export authorities. No distinction was made between firms considered reliable and those considered unreliable from a Party standpoint. German firms could place their experience and connections abroad at the service of German foreign economy without consideration of Party connections. I do not know to what extent *NSDAP organizations in foreign countries* influenced business activities of German firms abroad.

b. Army deliveries were generally within the framework of trade agreements. Decisions concerning these deliveries were made by the OKW (under General BECKER) in collaboration with the *Waffenaemter* of the different parts of the armed forces and the *Ministry of Armaments.* In these deals the foreign partners often received offers concerning production methods and the items themselves, when these were produced abroad. The way it was carried out depended to a large extent on the kind and volume of deliveries of material and tooling machines. The competent offices of the OKW, the *Waffenaemter and the Ministry of Armaments* should be able to give information about such *deliveries, especially as to which personalities and firms took part and to what extent the transactions in foreign countries were influenced* by them. *These two kinds* of foreign trade were currently handled in the Handelspolitischen Ausschuss [trade policy committee] of the Foreign Office. (WIEHL, GLODIUS, SCHNURRE were the chairmen.)

c. Extraordinary business deals on the basis of special orders: These originated mostly from the *Four Year Plan* and the *Ministry of Armaments.* The Four Year Plan for instance carried out the financing and exploitation of important raw materials in the Balkans, (Yugoslavia, Rumania, and also Bulgaria). For this purpose *industrial concerns* were used—mining industry (Balkan Concern), steel industry (Ferro-Stahl), petroleum industry. The chief representative of the Four Year Plan in the Balkans was Consul General NEUHAUSEN in Belgrade. In Rumania the following belong in this field, the transactions with MALAXA in the armament sector and the establishment of the *Continentale Oel A.G.*, on the basis of the acquisition of the French interests in the Rumanian petroleum industry (Concordia, Columbia). In these transactions, as well as the *Mines de Bor* transactions the *Four Year Plan* played a leading part. State Secretary NEUMANN who knows all particulars and all participating persons and enterprises should be interrogated on this. Another company founded by the Four Year Plan was Rowag-Hisma in Spain. During the civil war this enterprise had sort of a monopoly in German-Spanish trade. Even later its position remained dominating, especially in deals concerning products needed for the refinement of steel (wolfram, etc.). Whether and to what extent the Rowag Company under its director BERNHARD carried out other transactions, possibly also with other countries (Portugal, Argentina) is not known to me. Concerning the Rowag Company the following should be interrogated in addition to State Secretaries NEUMANN and KOERNER. Under State Secretary v. JAGWITZ (Formerly in the Ministry of Economics) and BETHGE (Ministry of Economics).

I do not know the nature of the commissions which the firm OTTO WOLF (Directors JASPER and SIEDERSLEBEN) carried out for the Four Year Plan. In the Reichsbank and the Ministry of Economics there was much talk about these deals, but I never found out any particulars. I cannot say to what extent the Four Year Plan used the stocks of gold and foreign currency blocked by the Four Year Plan for its foreign trade or to what extent foreign currency was acquired through these deals or accounts established abroad. The representatives of the Four Year Plan will best be able to give information about these business deals (especially Ministerialrat KADGIEN, the actual boss of foreign currency in the Four Year Plan). Director WILHELM of the Reich Bank should also know about various transactions. I was not interested in these things, since I did not have anything to do with the Four Year Plan and it was the highest *resort in gold and foreign currency* matters.

Also in the *armament sector* and the business sphere of the *Reichskommissar for Water Traffic* (Gauleiter Kaufmann in Hamburg) extraordinary business deals were concluded with foreign countries as I was told several times. It was widely supposed that in these deals foreign currency transactions took place which were not communicated to the Reich Bank. It is possible that *credits* arose *abroad* out of these deals about which competent German offices do not know. On this subject SAUER and HEITLAGE of the Ministry of Armaments should be interrogated, the chief of the OKW, General Field Marshal KEITEL or his advisor General BECKER, also the chiefs of the Waffenaemter of the Army, Navy, and especially the Luftwaffe or their *delegates on foreign affairs.* Senatssyndikus ESSEN (Hamburg) looked after these business deals of the Reichskommissar for Water Traffic. Ministerialdirektor Dr. BERGEMANN, formerly with the Ministry of Economics, later with the Reichskommissar for Water Traffic, will also be able to give information about these transactions which certainly took place against his will.

About transactions in France in the field of finance and industry the war administration chief (Kriegsverwaltungschef) with the military commander in France, Ministerialdirektor Dr. MICHEL will best be able to give information. MICHEL was at the same time representative of the Four Year Plan. The *Bank der Luftfahrt (Aerobank)* was especially active in France in the field of financing.

This bank and the Four Year Plan also played a leading role, in transactions in Norway. At first Generaldirektor KOPPENBERG from Junkers and then WESTRICK from the Vereinigte Aluminiumwerke worked there. The consultant for economic affairs of Reichskommissar OTTE (Former economic advisor in Hamburg—Gauwirtschaftsberater) should know about everything that went on in the industrial sector in Norway, also about the methods of financing. The director of the Reich Bank SATTLER should also be interrogated on this subject.

In *Holland* the financing of economy was handled by Dr. FISCHBOECK. The Luftwaffe was in charge at *Philipps,* the Ministry of Food and Agriculture at *Unilever.* The commissioner who was put there, State Secretary Dr. POSSE evidently exercised an administrative activity by preference. About what went on in the other big Dutch enterprises Dr. FISCHBOECK should know himself, since he handled these affairs himself together with Rost van TORMRUEGEN (?) and the Dutch Secretaries of State. Among the German enterprises which had interests in Dutch industry, especially the Ver. Stahlwerke and the Thyssenkonzern should be mentioned. The Kalisyndikat (Potassium syndicate) was supported in its foreign investments chiefly by the Continentale Bank (State Secretary NEUMANN was in the end director general of the Deutsche Kalisyndikat). In the field of banking the Deutsche Bank was especially interested in Holland (through de Bary), while in Belgium the Dresden Bank was especially active (Banque de Bruxelles?). About what happened in the industrial sector in Belgium and Luxemburg Kommerzienrat ROECHLING should be best informed.

The Four Year Plan determined who was to be the administrator of the large industrial enterprises in the occupied areas and into which German sphere of interest the individual works should fall. The former associate of Flick who incidentally lost out in these transactions, Captain STEINBRINCK (retired) of the Vereinigte Stahlwerke should be accurately informed about the events in Belgium and Luxemburg (labor). To throw further light on the whole complex of *German financing* and participations abroad is only possible if the main participants whom I have enumerated above from memory are interrogated *together* about these affairs so that with the help of mutual questions the necessary information can be obtained. To such a circle of financial and industrial people the following persons should be added.

Four Year Plan: NEUMANN, KOERNER, GRAMTSCH, KADGIEN;

Ministry of Economics: KIRSCHFELD, SCHLOTTERER, v. JAGWITZ, BETHGE;

Reichsbank: PUHL, WILHELM, von WEDEL, REX, WOLF;

Foreign Office: WIEHL, CLODIUS, SCHNURRE, RIPKEN;

Ministry of Armaments: SAUER, HETTLAGE, SCHIEBER, KEHRL, MUM (Switzerland).

OKW: Lt. Gen. BECKER and the representatives for foreign countries of the three Waffenaemter (the latter seem especially important to me):

Reichskommissar for Water Traffic: Ministerialdirektor Dr. BERGMANN and Senatssyndikus Essen;

Banking: ABS (Deutsche Banken), GOETZ or RASCHE (Dresden Bank), RODENWALD (Reichskredit Gesellschaft) RADORF (Aerobank);

Foreign Trade: LINDEMANN (Bremen), Dr. v. POLL (General manager of the Reichsgruppe Handel—Reich Group for Trade).

Since the discussion of this complex of questions would also reveal information about present German accounts abroad and credit possibilities and therefore would allow important deductions to be made concerning internal financial questions. I suggest that to such a conference, or interrogation group besides myself also Graf SCHWERIN v. KROSIGK with Ministerialdirektor Dr. BERGER and Ministerialdirigent BAYRHOFFER be added, especially since the enumerated persons to a great extent are identical with those persons who will chiefly have to be called upon for the reconstruction of the German financial system and the financing of the public and private needs as well as for foreign currency and currency questions.

[signed] WALTER FUNK

SECRET

ANNEX ON THE ORGANIZATION OF INDUSTRIAL ECONOMY

The Organization of Industrial Economy of which I was in charge had as its uppermost principle that its responsible members should be *practical* businessmen.

The party fought this principle consistently since it was the party's aim of get *party* functionaries into the organization. The procedure followed often was to place a man, suitable to the party, into a key economic position by appointing him director, usually of a public institution, or by establishing bank credit.

The organization consisted of *horizontal (regional)* division, chambers of commerce and chambers of trade and a *vertical (professional)* division, Reichsgroups, individual groups, vocational groups (guilds for handicraft). The head organization, combining the two systems was the *Reich Economic Chamber* (Reichswirtschaftskammer).

The *gau economic chambers* combined industry, commerce and trade and also maintained subjective and objective connections with the *vocational groups.* The gau economic chambers were a *concession to the party* since gauleiters and gau economic advisors were given a certain amount of influence. The president of the chamber was appointed by me and the economic groups were assured of making their own decisions concerning professional problems.

This vocational organization functioned quite well ordinarily speaking, until a *second, completely differently designed organization* arose out of the Armament Ministry *committees and rings* equipped with the tremendous authority and powers of the Minister of Armament. This new organization undermined and excavated the old one. In other words production representatives of the Armament Ministry paralyzed the economic groups. The old economic organization no longer held the deciding powers. These were in the hands of the Ministry and the Landeswirtschaftsaemter (economic departments). The Speer organization held almost unlimited powers.

The task of *my Landeswirtschaftsaemter,* the guidance of production and the distribution of quotas to the economy, also went into the hands of the Armament Ministry so that the Landeswirtschaftsaemter received orders from *two* different places.

A third controlling board was added when fuel and tire production was transferred to the Transport Ministry. Finally the job left for the economic Ministry was the distribution of consumer goods to the population and the old economic organization could only concern itself with basic economical questions, fares, financial questions, etc. The Deutsche Arbeits Front considered questions concerning social topics, which are very important to the economy, its *exclusive domain.*

The Plenipotentiary General for the War Economy
Berlin, W.8. Behrenstrasse 63.
GBW 7/437/39 g 28 January 1939
Replies to be addressed to:
The Leading Staff GBW
Attention Ministerial Director Sarnow,
or Deputy in the Office.

Express Letter
SECRET

To the High Command of the Armed Forces
Department of the Interior
Attention: Major Breyer
or Deputy in the Office.
Berlin

Re: Employment of Prisoners of War.

With reference to the meeting of our mutual special workers in the case, I would like to inform you of the following:

I

According to the Reich Defense Law of 4 September 1938, I have the direction for the economic preparations for the Reich Defense (except the armament industry). The Offices under my jurisdiction (Reich Ministry for Economic Affairs, Reich Ministry for Nutrition and Agriculture, Reich Labor Ministry, Reich Forest Master and Reich Commissioner for Price Control) are bound to follow my directives.

For the preparations concerning the utilization of labor during the war, the measures planned by you for the housing and the utilization of prisoners of war are of great importance. In the case of mobilization there would be an important deficit of laborers which might be catastrophic in some parts of the economy. I can refer to the statements of Col. General Keitel, Secretary of State Dr. Posse, and Secretary of State Dr. Syrup in the meeting of the sub-committee (R.V.) on 17 January 1939, concerning balance sheets for figures [Zahlenbilanz]. The deficit in labor has to be made up by the employment of eventual prisoners of war as far as possible and practical. The preparations, therefore, have to be made in close cooperation of OKW and GBW. The offices under my jurisdiction will be informed.

I therefore beg you to inform me of the preliminary studies prepared so far and to have negotiations of a principal nature in future with myself. I would be grateful for a copy of the drafts so far prepared.

II

In the drafting of the directives I want to emphasize the following principles:

1) Location of Camps:

For the choice of transit camps only military and technical transport exigencies will be prevailing.

As far as the permanent camps are concerned the exigencies of labor utilization will have to be taken into consideration. It will be expedient to locate them in districts which presumably will have the greatest and most urgent need for workers. The preliminary studies of the President of the Reich Institution for employment and unemployment insurance concerning employment during war in the agriculture could serve as a basis.

I therefore beg you before the final decision about the location of the six contemplated permanent camps to give me an opportunity to offer my advice. This could be done within a very short time.

2) Dimension of the Camps:

According to present directives, the permanent camps shall take in 10,000 men and the working commands should return daily to the camp even if longer distances are involved. This regulation renders more difficult a practical employment. Therefore, a more flexible arrangement of the camps should be sought, as far as military reasons do not interfere and self-contained working commands should be provided.

3) Execution of the Utilization of Labor:

a) The utilization of the prisoners of war will take place only in the permanent camps; in the transit camps a separation of working commands will not take place. If the High Command of the Armed Forces should think a different regulation necessary, then a participation of the district labor offices for the transit camps would have to be ordered, which, so far, is only contemplated for the permanent camps.

b) The utilization of the prisoners of war must be accomplished in close cooperation with the authorities for labor utilization, because only they have knowledge about the most urgent demands for labor. The Reich Labor Minister will declare competent one district labor office (respective labor office) for each permanent camp, which takes care of the practical utilization of the prisoners and which will advise the Commandant of the camp on all labor questions.

c) All requests for working commands will have to be directed to the District Labor Office. Insofar as the utilization of prisoners of war is not regulated centrally by OKW, GBW and RAM, the District Labor Office will advise about the urgency of the request. The utilization itself will take place in close cooperation between the District Labor Office and the permanent camps.

4) The Reich Ministry for Economic Affairs will make suggestions about the regulations for labor conditions, etc.

III

* * * * * * *

[Unsigned]
Berlin, 28 January 1939

To the High Command of the Armed Forces
Attention: a) Col. Warlimont (Department L)
or Deputy in the Office.
b) Major General Thomas (War Economy Staff)
or Deputy in the Office.
Berlin.

I am forwarding herewith the foregoing copy for your information, with a request to keep my office informed of all negotiations.

By order,
[sgd] SARNOW

[Stamp] Certified:
[Signature illegible]

TRANSLATION OF DOCUMENT EC–504

Reich Minister
Dr. Hjalmar Schacht
Reich Bank President, retired
17 November 40

taken care of orally
in Munich 24/XI G. [initial]
[Pencil note]

My dear Mr. Goetz!

I enclose a copy of my letter of today to Reich Minister of Economics Funk.

Respectfully
[signed] Dr. Hjalmar SCHACHT

DR. HJALMAR SCHACHT
Reich Minister
Berlin Charlottenburg 9
Baden-Allee 9

17 October 1940

To the Reich Minister for Economics
Berlin

In order to avoid a working side-by-side, that is a working against each other of the German banks in the occupied western territories, you had assigned the German Bank the task of clearing the way for a closer economic cooperation with Holland, and you had entrusted the Dresden Bank with the same task for Belgium. This was founded on the provision, that it would be possible to obtain a voluntary close cooperative working relationship on the part of the economic systems of the occupied territories. This provision has not been fulfilled. There rather exists a basic reluctance in Holland as well as in Belgium to voluntarily enter into general obligations of the planned kind. This basic reluctance was increased by the Societe Generale which is dominating Belgium, because they apparently did not want to commit themselves in regards to a definite, sole German partner. At least this was reported by the German Bank as well as by the Dresden Bank. In order to now remove this difficulty, you, Herr Reich Minister, have declared yourself in agreement that the undersigned has followed the requests of the two banking houses for an objective expression of opinion in this question at hand.

I have subsequently talked over the situation with the two banks, and found it proven in the course of the conversation, that at present no tendency exists with the Dutch or Belgian financial institutions to enter into general obligations toward the German business friends, although they are well prepared to negotiate single transactions. Because of this reason it appeared the most simple to me to stop pursuing the question of general obligations any further, which would cause the argument between the two banks to come to an end, instead however to oblige the two banks to report all eventual, single larger scale transactions which are intended to deal with Dutch or Belgian institutions beforehand and in time to the Reich Minister, so that the latter will be able to mediate in case of disagreement.

After you declared yourself in agreement with this solution I have informed the both banks correspondingly, and I hereby confirm to you the agreement of the two banks with this procedure.

Heil Hitler!
Dr. Hjalmar Schacht

TRANSLATION OF DOCUMENT M-130

"DER STURMER"
No. 51. 17 December 1942.

An Eye for an Eye, A Tooth for a Tooth.

The London newspaper, The Times, of 16th September 1942 published a resolution which had been unanimously passed by the Board of Deputies of British Jews. This resolution expresses the grief and horror of the "Anglo-Jewish community" at the "unspeakable atrocities" committed by Germany and her allies and vassals against the Jews of Europe, atrocities which had only one aim: to exterminate the whole Jewish population of Europe in cold blood.

Strange how the Jews of the "Anglo-Jewish community" suddenly begin to hear clearly! When the second World War began, the Fuehrer of the German nation warned the Jewish war-mongers against plunging the world into a blood bath again. And since then the German Fuehrer has warned and prophesied again and again that the second World War, instigated by World Jewry, must necessarily lead to the destruction of Jewry. In his last speech, too, the Fuehrer again referred to his prophecies.

And yet an "Anglo-Jewish community" now dares to express publicly its "grief and horror"!!—the same community which is responsible for the mass murders of past centuries and of our present times, and which frequently proclaimed that a coming world enemy must bring about the extermination of the German people.

The Book says "An eye for an eye, a tooth for a tooth."

And so said the Fuehrer, too.

[Initialled] "Str." [Streicher]

TRANSLATION OF DOCUMENT M-131

Leading Article in "DER STURMER."
No. 42. 15 October, 1942

Only the removal of all Jews from the non-Jewish nations, and their extermination can save humanity from destruction by the Jewish devils.

[signed] JULIUS STREICHER

TRANSLATION OF DOCUMENT M–132

“DER STURMER”
No. 36. 2 September 1943

The present war answers—in a way that no other event does—the question as to the eternal bringer of all misfortune. From the very beginning the Jew has been the curse of humanity and he will remain its curse as long as he lives. Only the elimination of the Jewish war criminal will bring to the world the peace people yearn for.

[Signed] Ernst Hiemer

TRANSLATION OF DOCUMENT M–133

“DER STURMER”
No. 43. 22 October 1942.

It will happen as the German Fuehrer prophesied: the Jews will be eliminated.

TRANSLATION OF DOCUMENT M–134

“DER STURMER”
No. 46. 11 November 1943.

But Germany will win, because it has got to win. Germany has got to win, so that humanity should live and Juda die!

[Signed] “Str.” [Streicher]

TRANSLATION OF DOCUMENT M–135

Leading Article in “DER STURMER”
No. 46. 12 November 1942

If the world wants to return to a peace of mankind in which every nation will get its due and just share, there is only one way: the extermination of the born Jewish world criminals.

[signed] JULIUS STREICHER

TRANSLATION OF DOCUMENT M–136

Extracts from “DER STURMER”
No. 5. 28 January 1943

But the ghetto, too, which has today been re-established in nearly all European countries, is only an interim solution. For humanity, once awakened, will not merely solve the ghetto question, but the Jewish question in its totality. A time will come when the present demands of the Jews will be fulfilled: *The ghetto will have disappeared.* And with it Jewry!

[Signed] Ernst Hiemer

When, with the outbreak of the second World War, world Jewry again began to manifest themselves as warmongers, Adolf Hitler announced to the world, from the platform of the German Reichstag, that the World War conjured up by world Jewry would result in the self-destruction of Jewry. This prophecy was the first big warning. It was met with derision by the Jews, as were also the subsequent warnings. But now, in the fourth year of this war, world Jewry is beginning, in its retrospective reflections, to understand that the destiny of Jewry is finding its fulfillment at the hands of German National Socialism. That which the Fuehrer of the German people announced to the world as a prophecy, at the beginning of this second World War, is now being fulfilled with unrelenting inevitability. World Jewry which wanted to make big international business out of the blood of the warring nations, is rushing with gigantic steps towards its extirpation!

When Adolf Hitler stepped before the German people 20 years ago to submit to them the National Socialist demands which pointed into the future, he also made the promise which was to have the greatest effects in its results—that of freeing the world from its Jewish tormentor. How wonderful it is to know that this great man and leader is making action follow this promise also! It will be the greatest ever to take place amongst mankind. As yet we are too close to the events of the present time to be able to applaud in pious devotion the action that has been commenced. But the day will come when the whole of humanity will enjoy an international peace such as it has longed for for thousands of years.

[Signed] Julius Streicher

TRANSLATION OF DOCUMENT M-137

"DER STURMER"

No. 15. 8 April 1943

The Jewish question is the key to world history. And because it decides the happiness or sorrow of the whole of humanity, it must be solved; and it *will* be solved in accordance with the words of the Fuehrer down to the last consequence. For should we forget during this life and death struggle to banish the Jewish danger forever, even the heroes' deaths at the front of our best people would be in vain.

[Initialled] H.

TRANSLATION OF DOCUMENT M–138

"DER STURMER"

No. 13. 25 March 1943

The time for yielding and irresolution is past. Europe has made a beginning. The bloodshed in this war is coming over the Jews, their children and grandchildren. The hyena of the battlefield is on the way to its destruction.

[Unsigned Leading Article]

· TRANSLATION OF DOCUMENT M–139

Extracts from "DER STURMER"

No. 19. 6 May 1943

"The salvation of the world will come through the Jews." Our times, however, know what to think of this "salvation" through Jewry. They now put an end to the machinations of Jewry and declare: "There will be no salvation through the Jews, but only salvation *from* the Jews." This salvation is being carried out today step by step.

[Signed] Ernst Hiemer

Children of the Devil

"Der Sturmer" paid a visit to ghettos in the East

"Der Sturmer" sent its photographer to various ghettos in the East. A member of the "Sturmer" staff is well acquainted with the Jews; nothing can surprise him easily. But what our contributor saw in these ghettos was a unique experience even for him. He wrote:

"What my eyes and my Leica camera saw here convinced me that the Jews are not human beings but children of the devil and the spawn of crime * * * It is hard to see how it was possible that this scum of humanity was for centuries looked upon as God's chosen people by the non-Jews * * * This Satanic race really has no right to exist * * *"

TRANSLATION OF DOCUMENT M-140

"DER STURMER"
No. 22. 27 May 1943

But a people which, like the Jews, has included murder in its rites and which has for thousands of years indulged in ritual murder, is a community of murderers. It no longer has a right to exist.

[Signed] M. Froehling

TRANSLATION OF DOCUMENT M-141

"DER STURMER"
No. 24. 10 June 1943

There was a time when only a few people among the German nation recognized the Jewish danger. In the meantime, National Socialism has enlightened millions as to the Jewish question. But even among these millions there are still some who have not yet struggled through to the last consequences. These last consequences are: A people who are mass murderers *in accordance with their law*, who are murderers of children and old people *in accordance with their law*, have no longer a right to exist. Their destiny must and will be fulfilled. Thus we know: the more terror raids against our civilian population, the greater the number of fanatical fighters against Pan-Juda. Every murdered old man, every murdered child, summons thousands and thousands to avenge him. The day will come when a great act of expiation will free the word from the Jewish devil.

[Signed] Ernst Hiemer

TRANSLATION OF DOCUMENT M-142

"DER STURMER"
No. 33. 12 August 1943

Therefore in all schools, in all influential offices of the Party, of the Armed Forces and of the authorities, only one sentence should be written on the walls like a Mene Tekel: Hate the Jew and his brood! But also hate everybody and everything connected and allied with the Jews—with sacred, burning hatred! And when the hour of revenge strikes, we shall not let ourselves be softened by sentimentality! Let us not forget what the Jew has done to humanity for thousands of years! Let us not forget that the Jew has to pay for all the misdeeds he has committed against humanity during thousands of years! Let us remember that the Jew himself has passed sentence upon himself in his own laws: An eye for an eye, a tooth for a tooth! Let us oppose his criminal hatred with our great, sacred hatred! Let us remember that all the victims of Jewish hatred in German towns, in the graves of Katyn and Vinniza and all those mass graves which are still unknown today, the victims of the world war launched by the Jews, are crying out for revenge. When the hour of retribution strikes, our hearts must be and remain hard and must know no other sentiment and no other emotion. Juda must feel and realise that the hour of retribution and settlement has come, and that nothing will be forgotten and forgiven. Juda will then reap the hatred it has sown for centuries. Through this hatred Juda must perish.

[Signed] Martin Froehling

TRANSLATION OF DOCUMENT M–143

"DER STURMER"
No. 27. 1 July 1943

It is the demand of the hour to eliminate this crazy vermin and to eliminate it so thoroughly that it will never again be in a position to disturb the peace of the nations.

[Signed] M. Froehling

TRANSLATION OF DOCUMENT M–144

From a letter in "DER STURMER"
No. 5. February 1940.

The Jews were for Poland, in the literal sense of the word, a Pest; swarms of locusts, as described in the Old Testament, couldn't have ravaged the country more terribly than these parasites from the banks of the Jordan. Yet, just as there exists only one effective way of dealing with swarms of locusts—namely, by exterminating them completely—there only exists one way of combatting the Jewish pest, too: ruthless destruction. Heil Hitler.

[Signed] Uffz. Recknagel.

TRANSLATION OF DOCUMENT M–145

"DER STURMER"
No. 7. February 1940

Judaism is criminality! This criminality can, however, be countered successfully only if it is exterminated root and branch.

[Signed] Jk.

TRANSLATION OF DOCUMENT M–146

"DER STURMER"
No. 2. January 1940

The war which is raging over Europe today is a Jewish war. Poland, the first bulwark of world Jewry, has fallen. But the final victory of German arms will destroy world Jewry completely.

[Signed] Jk.

TRANSLATION OF DOCUMENT M–147

"DER STURMER"
No. 4. January 1940

For thousands of years the Jewish criminal nation has been roaming from country to country. The curse laid upon it by God does not allow it to rest anywhere. Only when all Jewry has been destroyed will peace reign in the world.

TRANSLATION OF DOCUMENT M–148

"DER STURMER"
No. 1. January 1940

The Jews are waiting for a particle of dust from Hitler's grave. The infernal machine of November 8th 1939 was intended to dig the longed for grave for the Fuehrer of the German Reich. But things happened otherwise. The time is approaching when a machine will go off which will prepare a grave for the world criminal, Pan-Juda—a grave from which there can be no resurrection.

TRANSLATION OF DOCUMENT M–149

"DER STURMER"
No. 44. November 1939

The Sturmer will regard it as its duty to continue with its work of "enlightenment" until at last all mankind has been aroused. This awakening of mankind entails the destruction of the world criminal, Jewry.

TRANSLATION OF DOCUMENT M–150

"DER STURMER"
No. 1. 6 January 1944

After the National Socialist uprising in Germany, a development began in Europe, too, from which one can expect that it will free this continent, once and for all, of the Jewish disintegrator of nations and exploiter, and—over and above this—that the German example will—after a victorious termination of the second World War—bring about the destruction of the Jewish world tormentor in the other continents as well.

[Signed] Julius Streicher

TRANSLATION OF DOCUMENT M–151

Copy.

L. Schlaich, Stetten i.R.,
Supervisor of the Sanatorium
for mental patients and epileptics.

Stettin i.R., 6.9.1940.

To the Reich Minister of
Justice Dr. Frank [sic].
Berlin.

Dear Herr Reich Minister!

The measures which are at present being applied to mental patients of all kinds have led to the rise of a feeling of absolute legal insecurity among wide circles of the population. Such patients are transferred from the institutions, without obtaining the consent of their relations or guardians, to other institutions from which after a short time the notification follows that the persons concerned have died of some kind of disease. In view of the multitude of death notifications, the people are convinced that these patients are done away with. Since on the 10.9 and the 13.9, 75 of the patients entrusted to me were transferred on each of these days from the institution under my charge to such an institution, I take the liberty of asking this question: is it possible that such a measure can be carried out without a law referring to this being published? Is it not the duty of every citizen to oppose under all circumstances all acts not covered by the laws—in fact acts prohibited by the law—even if they are carried out by state organs?

Because of the absolute secrecy and impenetrability in which these measures are carried out, not only the wildest rumours arise among the people (for instance, that people who cannot work because of old age or wounds received in the Great War, have been done away with or are also to be done away with), but also they get the impression that the selection of the persons affected by this measure is done in a completely arbitrary manner.

If the State really wants to carry out the extermination of these patients or certain kinds of mental diseases, should not a clear law—openly accounted for to the people—be published, a law which would give every single person the guarantee of a careful examination of his liability to die or right to live, and would also give relatives the chance to be heard, as in the case of the law for the prevention of the transmission of hereditary diseases?

With regard to the other patients entrusted to our institutions, I urgently beg you to do all you can to get the execution of these measures suspended, at least until a clear legal position has been created.

Heil Hitler!
[signed] Schlaich.

I have sent a copy of this letter to the Head of the Reich Chancellery, Reich Minister Dr. Lammers, by the same post.

Copy.
To Reich Minister of Justice Berlin, 10.9.1940.

Dear Mr. Schlaich,

Your letter of the 6th of this month concerning the affair of the "transfer of inmates of institutions to another institution" reached me yesterday. For reasons of competence I sent it on to the Reich Minister of the Interior.

Heil Hitler!
Yours truly,
[signed] Dr. Guertner.

To:
The Supervisor of the Sanatorium for Mental patients and epileptics.
Mr. L. Schlaich
Stetten i.R.

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letter passed on to Frick
Copy
The Reich Minister of Justice

Berlin, the 10.9.1940.

My dear Colleague!

Enclosed I take the liberty of sending you a letter from the supervisor of the sanatorium in Stetten i.R., which I received last night, as I am not the competent person to deal with the directive asked for by the supervisor.

I have notified the sender of the passing on of his letter.

Heil Hitler!
Yours truly,

The Reich Minister Dr. Frick
Reich Ministry of the Interior.

TRANSLATION OF DOCUMENT M-152

COPY

Wuerttemberg Evangelical Provincial Church 19 July 1940.
The Provincial Bishop.

To the Reich Minister of the Interior Dr. Frick.
Berlin NW.
Koenigsplatz 6.

Dear Reich Minister,

For some months past, insane, feeble-minded and epileptic patients of state and private medical establishments have been transferred to another institution on the orders of the Reich Defence Council. Their relatives, even when the patient was kept at their cost, are not informed of the transfer until after it had taken place. Mostly they are informed a few weeks later that the patient concerned had died of an illness, and that, owing to the danger of infection, the body had had to be cremated. On a superficial estimate several hundred patients from institutions in Wuerttemberg alone must have met their death in this way, among them war-wounded of the Great War.

Owing to numerous inquiries from town and country and from the most variegated circles, I consider it my duty to point out to the Reich Government that this affair is causing a particular stir in our small province. Firstly because one of the institutions concerned, Grafeneck castle, to which the patients are delivered and where a crematorium and registrar's office have been set up, is in Wuerttemberg. Grafeneck is the property of an institution of the "Inner Mission," the Samaritan Foundation, which for years has been taking in and looking after persons who are physically or mentally maimed. On the outbreak of war, it was transferred to the convent of Reutte in Upper Swabia on the order of the Wuerttemberg Ministry of the Interior; Grafeneck was intended for the reception of patients brought from other institutions. The castle lies on a height of the Swabian Alb in a sparsely populated forest district. With all the more attention does the population of the surrounding area follow the events that take place there. The transports of sick persons who are unloaded at the small railway station of Marbach a.L., the buses with opaque windows which bring sick persons from more distant railway stations or directly from the institutions, the smoke which rises from the crematorium and which can be noticed even from a considerable distance—all this gives all the more rise to speculation as no one is allowed into the castle.

The second reason why grave importance is attached to these things in Wuerttemberg is the fact that symptoms of degeneration are not rare even in mentally and morally high-ranking families in our small province. It is partly the consequences of marriages between relations, connected with the long seclusion of the province, that are noticeable here. A comparatively large number of families from the cultured class also is thus affected by the measures directed towards annihilation which are being taken against patients of institutions.

The *manner* of action is already sharply criticised in these circles; there is much talk, in particular, of deceptions which occur in this connection. Everybody is convinced that the causes of deaths which are published officially are selected at random. When, to crown everything, regret is expressed in the obituary notice that all endeavors to preserve the patient's life were in vain, this is felt as a mockery. But it is, above all, the air of mystery which gives rise to the thought that something is happening that is contrary to justice and ethics and cannot therefore be defended by the Government with full publicity like other necessary and severe war measures. This point is continually stressed —by simple people as well—in the numerous written and oral statements which come to us. It also appears that very little care was taken, at first at any rate, in the selection of the patients destined for annihilation. They did not limit themselves to insane persons, but included also persons capable of work, especially among the epileptics.

The most important thing seems to me, however, that the Reich Government should appreciate the fundamental objections which have been raised among our people from humane and religious motives against this action, and should not consider the present ill-humour as a disregard of national and political necessities. I would therefore request permission to deal in greater detail with the problem of annihilation: I myself formerly had, as a subsidiary duty, the care of souls at a state sanatorium and nursing home and am therefore not unacquainted with the conditions and problems which arise in this connection.

Naturally, everybody who sees such pitiful men, thinks over and over again "Would it not be better to put an end to such an existence? It has no value for itself and means a heavy burden on the relatives." When the consequences of the blockade made themselves felt during the Great War and many patients died of tuberculosis and other illnesses fostered by malnutrition—the number of funerals which I had to hold amounted normally to about 20, but increased to 50 in 1917—everybody accepted this as a natural consequence of the war and as a divine ordinance, and one could be thankful in many cases that the end had come. It is, however, quite a different matter to take steps to bring about this end through human intervention. Many patients are conscious of their existence and position to a much greater extent than healthy people assume; in many cases, when one believes that they have not heard or have not understood, words addressed to them, it transpires afterwards that they have in fact done so, but were not able to react as a healthy person would have reacted. Many are distinctly sensitive as to whether they are treated lovingly or roughly by their doctor and nurse. Now put yourself into the mental position of a patient who draws the conclusion from all sorts of signs that something is to happen to him, who, maybe, is even subjected to force in order to make him board the transport—and you will be convinced that this is wrong, as God's will is interfered with and human dignity violated thereby. The decision as to when the life of a human sufferer should be terminated rests with Almighty God, according to whose inscrutable decision a completely healthy and valuable man is taken away before his time in one case, and an incapacitated man languishes on for decades in another. I can well understand that, in view of these and of many other facts which cannot be explained rationally, many people reject belief in God and adopt a creed of blind fate in its place; but I cannot understand that a party which implicitly rejects atheism and which has selected and introduced the term "believers in God" for those outside the Christian faith, should approve of and carry out a violation of God's sovereign right, as is the case in the treatment of the patients of the institutions. The Fuehrer has only recently called for prayer for the fighting troops and for humble thanksgiving for the glorious victory over France; can we not also entrust the lives of our suffering compatriots to this God, and is it not his will that we look after them while he lets them live?

Here I come to the second reason why the sensibilities of our people take offence at these measures. Pre-Christian Antiquity already laid down the principle: res sacra miser, the unfortunate person is a holy thing. Christianity has always made it its duty to look after the sick and suffering, because of Him, of whom it is said: He bore our sickness and took our pains upon Himself. As opposed to the roughness of primitive paganism, man was treated as a human being and not as an animal. The progresses in the field of medicine were utilised for mental patients as well in the institutions of the Christian labour of love. And it is actually specialists in institutions of the Inner Mission and in state institutions who have made considerable progress. I have often admired the conscientiousness and patience of institution psychiatrists who, while showing a much smaller percentage of successful cures as compared to other doctors, nevertheless treat every patient as something of value entrusted to them. How hard it must be for these men to allow and to defend measures contrary to the whole tradition of their profession, that are directed towards the opposite of the humane attitude which, in addition to scientific accuracy, forms the honour and dignity of the medical profession!

Perhaps, however, I shall receive the reply: the hundreds of thousands of physically and mentally incapacitated persons are too heavy a burden economically and financially for the German people who have now undertaken such big tasks; the relatives must make their sacrifices, as the families of those killed at the front have made much heavier sacrifices! Against this one must say that a people fights for its existence, and that no one is too good to risk his life in this battle for existence—that we may accept as God's will and commandment, that, however, the weak and defenseless should be destroyed, not because they represent a danger to us, but because we are tired of feeding them and caring for them—that is contrary to God's commandment. Do we not praise our soldiers because, when they have done their duty against the armed enemy, they mercifully look after the unarmed, especially women, children, wounded and sick, and do not consider them burdens which they thus impose on themselves and the nation. It would indeed be possible to entertain the thought: we have no reason to spare an inimical nation which has done us as much harm as the French. But this thought would be worty of a Clemenceau, not of a German.

It is no doubt very painful for the parents if among their children there is one who is mentally deficient; but they will let this child feel their whole love as long as God allows it to live; contrary treatment, which of course does occur also, is condemned by public sentiment. Why? Because our people are guided by the Christian way of thought in all these questions. And as the Party stands implicitly on the basis of a "positive Christianity" and as, again, it implicitly and especially wishes the ethical attitude of the Christian, above all the love of one's neighbor, to be understood under this "positive Christianity," it really cannot approve the measures directed to destroy life. We therefore find it quite understandable that *those* circles of the Party whose voices can be heard chiefly on the "Schwarze Korps" wish to do away not only with church Christianity but with all Christianity because it represents an obstacle to such measures. They thus confirm the old and frequent experience that a break with the Christian faith also carries with it a break with Christian ethics. But anyhow, the Fuehrer and the Party have so far stood on the platform of positive Christianity which regards charity towards suffering compatriots and their humane treatment as a matter of course. If, however, a serious matter like the care of hundreds of thousands of suffering compatriots in need of care is dealt with solely from the point of view of momentary advantage and if a brutal extermination of these compatriots is decided on, then the final stroke is added to a fateful development and Christanity is given its final conge as a vital power determining the individual and communal life of the German people. But paragraph 24 of the Party program is then also untenable. The claim that only confessional Christianity, not Christianity in itself, is being fought against, is inoperative here; for all confessions are agreed that man and nation have to bear as a burden imposed by God the burden imposed on them by the presence of people who are in need of care and may not eliminate these people by killing them.

It is only with honour that I can think that things will continue as they have begun. The possible advantage of these measures will be more and more outweighed, the longer they go on, by the damage they will cause. What conclusion will the young generation draw for private life, when it realizes that human life is no longer sacred to the State? Cannot every outrage be excused on the grounds that the elimination of another was of advantage to the person concerned? There can be no stopping once one starts down this slope. God does not permit people to mock Him; he can turn what we believe we have gained on one side to harm and a curse on the other. Either the National Socialist State also must recognise the limits which God has laid down for it, or it will favour a moral decline which will also carry with it the decline of the State.

I can imagine, Mr. Minister, that this protest will be regarded as embarrassing. Hardly dare I express the hope, either, that my voice will be heard. If, nevertheless, I have made this declaration, I have done so primarily because the relations of the compatriots affected expect such action from the leaders of a church. I am also, however, moved by the thought that this action may perhaps give rise to a serious examination and to the abandonment of this path. Dixi et salvari animam meam!

Heil Hitler!
Yours faithfully,
[Signed] Dr. WURM.

Wuerttemberg Evangelical Provincial Church.
The Provincial Bishop.

Stuttgart, 23rd August 1940.

To Reich Minister of Justice, Gr. Guertner,
BERLIN.

Dear Reich Minister of Justice,

Much comment has been aroused by the measures—directed at the elimination of lives of no value to the community—which are being carried out at the moment on a large scale in certain state institutions, especially in Wuerttemberg, in Castle Grafeneck, village of Dapfen, Muensingen district. I have therefore directed the letter of which I enclose a copy to the Reich Minister of the Interior. I request you, Mr. Reich Minister of Justice, to interest yourself, from your sphere of work, in this matter, which, if continued in the present manner contrary to the legal measures for the protection of the eugenic health of the German people, must shatter the people's confidence in justice as much as their trust in the doctor as a helper of men.

Heil Hitler!
Yours sincerely,
[signed] D. Wurm.

Stuttgart, the town of the Germans abroad
5 September 1940

Wuerttemberg Evangelical Provincial Church
The Provincial Bishop

COPY

To the Reich Minister of the Interior Dr. Frick
BERLIN.

Dear Reich Minister,

On the 19th July I sent you a letter about the systematic extermination of lunatics, feeble-minded and epileptic persons. Since then this practice has reached tremendous proportions: recently the inmates of old-age homes have also been included. The basis for this practice seems to be the opinion that in an efficient nation there should be no room for weak and frail people. It is evident from the many reports which we are receiving that the people's feelings are being badly hurt by the measures ordered and that a feeling of legal insecurity is spreading which is regrettable from the point of view of national and state interests. If the leadership of the state is convinced that it is a question of an inevitable war measure, why does it not issue a decree with legal force, which would at least have this good point that official quarters would not have to seek refuge in lies? But if—as can be assumed with certainty—Germany is in a position to feed these members of the nation as well, why then these rigorous steps? Is it necessary that the German nation should be the first civilised nation to return, in the treatment of weak people, to the habits of primitive races? Does the Fuehrer know about this matter? Has he approved it? I beg you not to leave me without a reply in this tremendously serious matter.

Heil Hitler
Yours faithfully
[signed] Dr. Wurm

Wuerttemberg Evangelical Provincial Church
The Provincial Bishop.

Stuttgart, the town of the Germans abroad,
the 6th September 1940.

To the Reich Minister of Justice Dr. Guertner
BERLIN W
Wilhelmstr. 65

Dear Reich Minister,

Permit me to inform you of a second letter which I have sent to the Reich Minister of the Interior about the systematic extermination of lunatics, weak and frail compatriots. This matter is reaching the proportions of a great danger and a scandal. Dear Reich Minister, I would be very grateful if you would give me the opportunity to give you a more detailed account and to show you documents concerning this matter, next Wednesday the 11th September. Please inform Dean Keppler, Berlin, N.W.87, Holsteiner Ufer 16, Tel. 392950, if and when the reception is possible.

Heil Hitler
Yours faithfully,
[signed] Dr. Wurm

Most obediently
To the Minister [Guertner]

According to order, I informed Dean Keppler by telephone on the 10th September that hospitals and nursing homes come under the Reich Minister of the Interior and that it is therefore recommended that the Provincial Bishop present his wishes first to the Minister of the Interior.

Dean Keppler promised to inform the Provincial Bishop accordingly.

BERLIN, the 11th of September 1940
[signed] Sommer

TRANSLATION OF DOCUMENT M–161

"ISRAELITISCHES WOCHENBLATT"
No.28, p.2. 11 July 1941

Some 40,000 Jews died in Poland during the last year, the hospitals are overfull.

TRANSLATION OF DOCUMENT M–162

"ISRAELITISCHES WOCHENBLATT"
No.41, p.3. 10 October 41

According to reports from this same paper (Svenska Tagbladet) the 1800 Jews living in Hanover have disappeared. It is not known whether they were taken to a working camp and if so to which.

TRANSLATION OF DOCUMENT M–163

"ISRAELITISCHES WOCHENBLATT"
No.48, p.6. 28 November 41.

Very bad news comes from the Ukraine. Thousands of Jewish dead are being mourned, amongst whom are many of the Galician Jews who were expelled from Hungary.

TRANSLATION OF DOCUMENT M–164

"ISRAELITISCHES WOCHENBLATT"
No.50, p.6. 12 December 41.

According to news which has arrived from several sources, thousands of Jews (people even speak of many thousands) have been executed in Odessa as a punishment for the explosion of a time bomb which buried 220 Rumanian soldiers together with their staff, under the ruins of the townhall. Similar news reaches us from Kiev and other Russian cities.

TRANSLATION OF DOCUMENT M–165

"ISRAELITISCHES WOCHENBLATT"
No.2, p.3. 9 January 42.

"In Germany"

In Cologne, Muenster, Essen and Duesseldorf and other Rhineland cities there are hardly any Jews left. There remain only a few elderly Jewish persons.

TRANSLATION OF DOCUMENT M–166

"ISRAELITISCHES WOCHENBLATT"
No.4, p.3. 23 January 1942.

"In the East"

In the Lublin region there are 34 punishment camps for Jews, in which 10,000 Jews are imprisoned. Corporal punishment in various forms is the order of the day there.

TRANSLATION OF DOCUMENT M–167

"ISRAELITISCHES WOCHENBLATT"
No. 7, p.6. 13 February 42.

In Croatia the terror against the Jews is being continued in undiminished form. It rages particularly in the camps, where the hostage system has been introduced and Jews are shot when there is any unrest.

TRANSLATION OF DOCUMENT M–168

"ISRAELITISCHES WOCHENBLATT"
No.14, p.6. 3rd April 42.

No Jews remain in Belgrade. Many were shot as communists and the others deported for forced labour. The "Novo Vreme" reports that capital punishment has been introduced for aiding Jews with money or food. The "Donauer Zeitung" reports that 280 Jews and 100 Serbs have been shot in Belgrade.

TRANSLATION OF DOCUMENT M-169

"ISRAELITISCHES WOCHENBLATT"
No.14, p.6, 3 April 1942.

The disaster of the Polish Jews has reached unprecedented proportions. All fears have been surpassed by far. * ** The position * * * is quite dreadful. * * * The Jews suffer from the icy cold, there is lack of food. One sees * * * living corpses. * * * A piece of bread is a rarity. Hundreds are dying of hunger. But the hardship is even further increased by epidemics. The Jews are being decimated by hunger, pestilence and typhus. Half of our brethren in Warsaw are no longer alive * * * 6,000 died recently. All * * * help is of no avail. There is a shortage of medicaments and of serum.

TRANSLATION OF DOCUMENT M-170

"ISRAELITISCHES WOCHENBLATT"
No.17, p.6. 24 April 1942

In the German occupied part of Poland 165,000 Jews died in 1941, 72,729 of them in Warsaw alone and 17,542 in Lodz.

TRANSLATION OF DOCUMENT M-171

"ISRAELITISCHES WOCHENBLATT"
No. 18, p.5. 1st May 1942

In Croatia, * * * the news about the continuous pogroms was so terrible that the intervention of the Pope via the nuncio at Berne was asked for. The Catholic priesthood in Zagreb protested against the measures of annihilation.

* * * * * * *

According to a report which the exiled Government in London has received, all male Jews between the ages of 15 and 50 were shot in the town of Kragujevac, after Serbian guerillas had attacked a German detachment. The report mentions 3,500 to 6,000 people.

TRANSLATION OF DOCUMENT M-172

"ISRAELITISCHES WOCHENBLATT"
No.19, p.5. 8 May 1942.

At the camp at Oswiecim [Auschwitz] in Poland 300 Rabbis and leaders of the orthodox Jews have died, according to a Swedish report. As in Poland, it is mostly impossible to carry out individual burials any longer, mass graves with a capacity of 2,000 people are being dug. Food for a Jewish person has been fixed at 300 calories daily.

TRANSLATION OF DOCUMENT M–173

"ISRAELITISCHES WOCHENBLATT"

No. 21, p.6. 22 May 42.

It is reported from Radom that approximately 1,500 Jews have died of hunger there. "Pravda" reports that in Lemberg about 13,000 Jews have lost their lives.

TRANSLATION OF DOCUMENT M–174

"ISRAELITISCHES WOCHENBLATT"

No. 24, p.6. 12 June 1942.

Turkish reports state that Jews are suffering particularly from the starvation in Greece. Up to now 7,000 Jews, 3,000 of them children, had died of starvation. In Salonica 50 Jews are said to be dying of starvation every day.

TRANSLATION OF DOCUMENT M–175

"ISRAELITISCHES WOCHENBLATT"

No.29, p.6. 17th July 42

The black book published by the Polish Government states facts regarding the death of 70,000 Jews in Poland. In occupied Russia a further 200,000 are said to have lost their lives.

TRANSLATION OF DOCUMENT M–176

"ISRAELITISCHES WOCHENBLATT"

No.31, p.4. 1 August 1942

* * * Pharaoh's plagues were just a children's game in comparison with the treatment of Jews in Croatia, some papers report. Of the 35,000 Jews who lived there before the war 18,000 are dead.

TRANSLATION OF DOCUMENT M–177

"ISRAELITISCHES WOCHENBLATT"

No.32/33, p.6. 14 August 42

* * * Here we must not allow ourselves to give the report about the death of 24,000 Jews in Vitebsk, about the pogroms in Lemberg, Tarnopol, Zloczow, Sambor, Drohobycz, Brody and Przemysl, about the disappearance of 300,000 Jews in the districts of Wilna and Kowno. The Polish deputy Zygelbaum stated in London that, since last summer, 700,000 Jews have died.

TRANSLATION OF DOCUMENT M–178

"ISRAELITISCHES WOCHENBLATT"
No. 37, p.8. 11 September 1942.

Rumania

Traces of the great pogroms of January have not disappeared yet. Most of the synagogues in Bucharest have been destroyed. The Jews were expelled from Bucovina and deported to the Dnieper region. This measure affected 45,000 people, of whom 30,000 are said to have lost their lives as the result of a typhus epidemic. * * * The "Sunday Times" estimates that 125,000 Jews have perished under the Antonescu regime.

TRANSLATION OF DOCUMENT M–179

"ISRAELITISCHES WOCHENBLATT"
No. 37, p.9. 11 September 42.

The Roman Catholic Primate of Poland, Cardinal Hlond, confirms that 700,000 Poles have lost their lives since the occupation. The position of the Jews is much worse still. Precise information on the subject has recently come from the passengers of the S/S "Drottningholm." They only confirm what was already known from other sources, and that the most terrible information, which could not be published because it was impossible to verify it with absolute certainty, is even exceeded by what really happened. During the first few days of the occupation 20,000 Jews were killed by local forces in Latvia.

TRANSLATION OF DOCUMENT M–180

"ISRAELITISCHES WOCHENBLATT"
No. 43, p.5. 23 October 42

The second volume of the Polish Black Book has been published in New York by the Polish Government. On the basis of exact lists the number of Jews executed within the last three years is estimated at 200,000. Before the war the death rate was 5 percent, while, according to German sources, it has since risen to 24.3 percent * * *

TRANSLATION OF DOCUMENT M–181

"ISRAELITISCHES WOCHENBLATT"
No. 43, p.5. 23 October 1942.

Direct information from a Jewish source, which was received by the London Aid Committee for Lithuania, confirms that during the first weeks of occupation 25,000 Jews lost their lives.

TRANSLATION OF DOCUMENT M-182

"ISRAELITISCHES WOCHENBLATT"
No. 27, p.4. 4 July 1941

The dreadful news of the execution of 500 Jews in Jassi in Roumania is a staggering confirmation of this statement.

TRANSLATION OF DOCUMENT M-183

"ISRAELITISCHES WOCHENBLATT"
No.44, p.6. 30 October 1942.

Most of the Jews of Zagreb have been deported. A number work in the salt mines under very bad conditions. Some succumbed to this treatment.

In Serbia * * * a number of leading Jews were shot as hostages.

The Belgian Information Centre in New York has been informed that in April riots took place in Riga during which 14,000 Latvian Jews and some hundreds of Belgian and Dutch Jews lost their lives.

TRANSLATION OF DOCUMENT M-184

"ISRAELITISCHES WOCHENBLATT"
No.48, p.6. 27 November 1942.

At the Zionist congress of Switzerland the representative of the Jewish agency in Geneva * * * gave a report on the position of European Jewry. The number of the victims goes into millions. If the present conditions continue and the German programme is carried out it is to be reckoned with that instead of 6–7 million Jews in Europe, only 2 million will still be left. Weizmann's estimate that European Jewry has been reduced by 25 percent has been surpassed by far; annihilation has already reached 75 percent. To-day there are no more local pogroms but a systematic policy of annihilation. In Latvia for instance there are no more Jews; the Warsaw ghetto is nearly empty; the Jews who were there have mostly been deported to the notorious "unknown destination" farther to the East. At the end of this winter the number of victims will be 4 million.

TRANSLATION OF DOCUMENT M-185

"ISRAELITISCHES WOCHENBLATT"
No.48, p.8. 27 November 42.

Before the occupation of Yugoslavia 80,000 Jews lived there. During the campaign and through the measures taken subsequently 60,000 Jews lost their lives.

TRANSLATION OF DOCUMENT M–186

"ISRAELITISCHES WOCHENBLATT"
No. 51, p.5. 18 December 1942

Since the ghettos were already over-populated they were emptied first. Where the former inmates got to could so far only be ascertained in a few cases.

* * * At that time the Polish Government in London gave the number of Jews executed as 700,000. The Berlin radio declared that these reports were untrue, but admitted that in Poland Jews "had had to be executed" because they carried out acts of sabotage. Berlin did not give a figure.

[p.6.]

It was reported that Himmler was in Warsaw and appointed special annihilation commissions according to the "Times."

The Polish Government in London has handed a memorandum to all Allied Governments, quoting an instruction of the S.S. of March 1942, according to which one can reckon with about 1½ million Jews being liquidated by the end of this year.

Up to the end of September 1942, writes the "Daily Telegraph," 2 million Jews have lost their lives in Germany and in the countries occupied by the Axis, and it is to be feared that the number of victims will be doubled by the end of the year.

TRANSLATIOIN OF DOCUMENT M–187

"ISRAELITISCHES WOCHENBLATT"
No. 52, p.5. 23 December 1942.

During the past months, news about measures for the annihilation of Jews has been accumulating. New methods were used, which surpassed by far those used in Kharkov, Odessa, Minsk and Vilna.

The joint declaration of the allies * * * that the German authorities are not satisfied just to deny the most elementary human rights to persons of Jewish descent in all the countries occupied by them, but that they are now putting into practice Hitler's repeatedly expressed threat to annihilate the Jewish race in Europe. From all the occupied territories the Jews are being deported to the East under terrible conditions. In Poland, the first country to feel the inhuman methods, the Jews are being systematically exterminated with the exception of some qualified workers necessary to the war industry. Not a word has been heard again of any of the deportees. It is not known whether they are dying slowly in forced labour camps or whether they are killed in mass executions. Hundreds of thousands of innocent men, women and children have already lost their lives as a result of these terrible methods.

TRANSLATION OF DOCUMENT M-188

"ISRAELITISCHES WOCHENBLATT"
No. 53, p.6. 30 December 1942

In a publication of the "Allied Governments" some figures regarding the extermination of Jews in Europe are given. Out of the 86,000 Jews originally in Jugoslavia, 85,000 have lost their lives. In Croatia the "Jewish question" was "solved" by the extermination of all Jews. The Norwegian Jews have been arrested and deported with a few exceptions. Nothing reliable has become known about their fate. From Bohemia 72,000 and from Slovakia 65,000 were deported. In Theresienstadt there are still 20,000 Jews. According to German press reports, out of the 52,000 Jews in Belgium 25,000 have been put in concentration camps. In Holland 60,000 Jews between the ages of 18 and 40 have been officially notified that they are going to be transported to the East. 600 are deported daily. The whole deportation is to be finished by July 1943. In Greece 9,000 Jews have been taken to the mountains of Macedonia for forced labour.

TRANSLATION OF DOCUMENT M-189

"ISRAELITISCHES WOCHENBLATT"
No. 1, p.5. 8 January 1943

The Polish Government in London has meanwhile issued a new declaration which states that all the information received agrees that a third of the 3,130,000 Jews have lost their lives. Up to March 1942 alone the number of Jewish victims is stated to have been 600,000.

TRANSLATION OF DOCUMENT M-190

"ISRAELITISCHES WOCHENBLATT"
No. 8, p. 4. 26 February 1943

Exchange reports from Polish Government circles in London that Warsaw, Lvov, Lodz and other cities have been "liquidated" and that nobody from the ghettos remains alive. The latest investigations have ascertained that only about 650,000 Jews remain out of 2,800,000.

TRANSLATION OF DOCUMENT M-191

"ISRAELITISCHES WOCHENBLATT"
No. 9, p.5. 5 March 1943

The 21 members of the Jewish Council which were arrested as hostages in Berlin on the 9th November have disappeared without leaving a trace. This report from London also contains the information that the wave of suicides has increased considerably. Hitler in his proclamation of the 24th February again proclaimed the extermination of the Jews in Europe as his goal.

TRANSLATION OF DOCUMENT M-192

"ISRAELITISCHES WOCHENBLATT"
No. 12, p.6. 26 March 43.

The report of the Polish Government * * * published in the English press * * * includes:

"In the town of Vilna 50,000 Jews were murdered, in Rovno 14,000, in Lvov half the total Jewish population."

Many details are also given about the use of poison gas, as at Chelm, of electricity in Belzec, of the deportations from Warsaw, the surrounding of blocks of houses, and of the attacks with machine guns.

TRANSLATION OF DOCUMENT M-193

"ISRAELITISCHES WOCHENBLATT"
No.18, p.5. 7 May 1943.

Minister Attlee, Churchill's deputy, stated in the House of Commons that he had received a message from Poland according to which there alone 100,000 Poles and 1,500,000 Jews resident there had been robbed and murdered in the most horrible way. The machinery of destruction was working at high pressure. The descriptions of the death camp of Oswiecim [Auschwitz], the events in Odessa, the black hell of Kovno, the incidents in Vitebsk, Kharkov and many other towns did not actually need further investigation. * * *

TRANSLATION OF DOCUMENT M-194

"ISRAELITISCHES WOCHENBLATT"
No. 21, p.6. 28 May 1943.

The Soviet Government has issued a statement about its investigations into the Jewish problem in Poland. In Warsaw there were originally 400,000 Jews. Although new additions arrived continually from all towns in Germany and Poland, there were barely 40,000 Jews left in the Ghetto at the end. Out of the 32,000 Jews in Radom, 3,500 have remained; out of the 22,000 in Petrokovo only 2,600 are left. No more has been heard of the 30,000 Jews of Keltsy; 2,000 Jews are still alive in Czenstochovo out of the original total of 40,000 * * * 60,000 people have lost their lives in the towns of Kiev and Dnieperpetrowsk.

TRANSLATION OF DOCUMENT M–195

"ISRAELITISCHES WOCHENBLATT"
No. 29, p.5. 23rd July 43.

News has reached London through ecclesiastical channels * * * that 300 Jews were being shot in Warsaw every day, that the Jewish doctors of the Ghetto were being employed as soldiers while their sick relatives were lying about in the streets of the Ghetto, that Jews from neutral countries and even the Red Cross itself were prevented from sending medical supplies and food.

TRANSLATION OF DOCUMENT M–196

"ISRAELITISCHES WOCHENBLATT"
27th August 1943.

Four Years of World War

The fourth year of war is now drawing to its close and the fifth is about to commence. A silver lining can gradually be discerned on the horizon and the postwar problems are already beginning to be considered. The Jews also look backwards and forwards. The war against the Jews has been going on for more than four years. The end of the first decade of the unequal battle was reached in the spring of 1943. The battle was unequal because the Jews had no intention whatsoever of waging war against anybody. They were unprepared in every respect. They had no uniform organisation, but, on the contrary, a large number of parties, factions and associations which could not be unified under even the most stringent circumstances. Those Jews who possessed money only rarely offered it towards the construction of Palestine, where a real aid centre might have been founded. The distinct symptoms of the prewar years made no impression on the majority of the Jews; the largest section of the Jews no doubt belonged by conviction not to any war party but to the "appeasers." In particular, the wealthy upper class of the American and English Jews hoped that for a long time that a settlement would be possible and most Jews believed that "conditions could not become so very bad." The Jews were unprepared, and they had to pay dearly for their thoughtlessness. The Jews of Europe, with the exception of those in England and the lesser Jewish communities in the few neutral countries, have, so to speak, disappeared. Three million dead, the same number outlawed, mentally and physically broken; that is the result of the "new order" in Europe. The Jewish reservoir of the East, which was able to counterbalance the western assimilation, no longer exists. * * *

TRANSLATION OF DOCUMENT M–197

"ISRAELITISCHES WOCHENBLATT"

No. 36, p.5. 10th September 1943

Statistics presented by the Convening Committee showed that 5 millions out of the 8½ million Jews of Europe had died or been deported. Through methodical measures in the campaign of extermination, through forced labour and deportation, about 3 millions had lost their lives.

TRANSLATION OF DOCUMENT M–198

"ISRAELITISCHES WOCHENBLATT"

No. 42, p.6. 22 October 1943.

"Pravda" reports that no Jews were found in the re-occupied Donetz area. The Jews in Kramatorsk, Slaviansk and Gorlovka had been shot in masses.

TRANSLATION OF DOCUMENT M–199

"ISRAELITISCHES WOCHENBLATT"

No. 46, p.5. 19th November 43.

In Russia, as a result of the occupation of Kiev, it has become clear that the Jewish population is being completely exterminated. A report from the Polish underground movement stated that the extent of the exterminations had decreased of late, for the simple reason that there were no more Jews to exterminate. Wherever a Jew is met with in the Eastern territories occupied by Germans, the hunt is on until the bullets get him. 30,000 Jews were deported from the Ghetto of Grodno after the members of the Jewish Council and the intellectuals had been shot. The same thing occurred in Lvov, Bialystok, Ostrow and Siedlec * * * One Ghetto remains in Lithuania, namely, that of Vilna, with a population of 20,000. The remainder were taken away on lorries and are reported to have been killed in the vicinity of Ponar.

TRANSLATION OF DOCUMENT M–200

"ISRAELITISCHES WOCHENBLATT"
No. 1, p.3. 7 January 44.

We have now received names of the mass graves outside the towns which the Russians have re-occupied. We have heard of the trial of Kharkov during which subordinate officials are reported to have admitted terrible crimes.

TRANSLATION OF DOCUMENT M–201

"ISRAELITISCHES WOCHENBLATT"
No. 3, p.4. 21 January 1944.

90,000 Jews resided in Czechoslovakia before the beginning of the war. Of these, 50,000 were murdered, and a further 30,000 are in labour battalions or concentration camps.

TRANSLATION OF DOCUMENT M–202

"ISRAELITISCHES WOCHENBLATT"
No. 3, p. 5. 21 January 44

The Polish Prime Minister * * * announced that there were no Jewish children left in Poland. A report states that 3,000 of the 4,000 Jews in the Vlodava ghetto died in the death camp of Sobibor. The ghettos of Piaski and Konsko-Volo were completely liquidated. In Travniki near Lublin some hundreds of Jews deported from Holland met with the same fate.

TRANSLATION OF DOCUMENT M–203

"ISRAELITISCHES WOCHENBLATT"
No. 11, p.5. 17 March 44.

Whole areas were "cleaned" of the Jewish population; the latter was transferred to certain areas like Lublin or to towns like Warsaw and Lodz and then to ghettos, and later * * * these ghettos were liquidated too.

He (Kulischer) mentions that in the "Warthegau," the west Polish areas, 300,000 Jews were expropriated, expelled and literally exterminated, in order to make room for new settlers.

TRANSLATION OF DOCUMENT M–204

"ISRAELITISCHES WOCHENBLATT"
No.12, p.7. 24 March 44.

From Pinsk comes a report from Ilja Ehrensburg who states that 15,000 Jews were murdered there.

TRANSLATION OF DOCUMENT M–205

"ISRAELITISCHES WOCHENBLATT"
No. 14, p.4. 6th April 44.

Extract from a speech by Roosevelt

"* * * The systematic murder of the European Jews continues hourly. * * * Anyone who knowingly participates in the deportation of Jews, which leads to their death in Poland, will also have to share the punishment."

TRANSLATION OF DOCUMENT M–206

"ISRAELITISCHES WOCHENBLATT"
No. 14, p.5. 6 April 44.

Rumania

* * * Transnistria, the area which became the grave of 200,000 deported Rumanian Jews. * * *

TRANSLATION OF DOCUMENT M–207

"ISRAELITISCHES WOCHENBLATT"
No.16, p.6. 21 April 1944

On the Eastern front near Lemberg a few Jews succeeded in crossing to the Russians through the German lines. They stated that only 2,000 of the 140,000 Jews of Lemberg remained.

TRANSLATION OF DOCUMENT M–208

"ISRAELITISCHES WOCHENBLATT"
No.16, p.8. 21 April 44.

On the 19th April 1943 came the order to clear the Ghetto in Warsaw. The meaning of this order could not be misunderstood; it signified the death warrant of the unfortunate people in the Warsaw Ghetto.

TRANSLATION OF DOCUMENT M–209

"ISRAELITISCHES WOCHENBLATT"
No. 23, p.6. 9th June 44.

From Russian and English sources it is announced that Jews who had stayed in Lemberg were mown down with machineguns outside the town. The Polish underground radio station "Swit" reports that in Lemberg itself Jewish, Polish and Russian prisoners of war were continually being condemned to death.

TRANSLATION OF DOCUMENT M–210

"ISRAELITISCHES WOCHENBLATT"
No. 27, p.6. 7th July 1944

According to reliable sources, over 400,000 Hungarian Jews were deported under inhuman conditions, and those that did not die on the journey were brought to Auschwitz camp, Upper Silesia, while many hundreds of thousands of Jews have been murdered according to plan during the last two years and more.

A pogrom was carried out in Bratislava following the bombing of the oil refineries. A large number of the Jews who were still residing there lost their lives therein.

TRANSLATION OF DOCUMENT M–211

"ISRAELITISCHES WOCHENBLATT"
No. 34, p.6. 25 August 1944

From Lublin comes the first news of the Jewish camps which had existed previously. In the course of their quick advance the Russian troops found the gas chambers and crematoria undamaged. They ascertained in this connection that some millions of people died there. * * * Further similar camps were situated in Sobibor. * * *

TRANSLATION OF DOCUMENT M–212

"ISRAELITISCHES WOCHENBLATT"
No. 36, p.6. 8 September 1944.

The Russian authorities have invited the foreign press to visit the extermination camp of Maidanek near Lublin. Besides Russians, Poles and Jews, Dutch, French, Belgians, Greeks and Jugoslavs were also murdered there.

TRANSLATION OF DOCUMENT M–213

"ISRAELITISCHES WOCHENBLATT"
No. 39, p.6. 29 September 1944

Rumania

Antonescu will be held responsible for the murder of 30,000 Jews in Odessa which took place immediately following the Rumanian occupation of the town. * * * The 180,000 Jews who were murdered in Bessarabia and in the Bucovina and the further 80,000 Jews died in the deportation camps of hunger, cold and typhus. * * *

TRANSLATION OF DOCUMENT M–214

"ISRAELITISCHES WOCHENBLATT"
No. 47, p.5. 13 October 1944.

According to the information which the Polish Minister for Industry, Kozuchowsky, recently published in London, only 500,000 Jews remain of the 3,000,000 who lived in Poland in the year 1939.

TRANSLATION OF DOCUMENT M–215

"ISRAELITISCHES WOCHENBLATT"
No. 47, p.6. 24 November 1944.

An American correspondent has seen the concentration camp of Vught, which had accommodation for 30,000 occupants. At least 30,000 persons lost their lives here. There were a series of torture chambers which led to many protests. Hitler himself thereupon visited the camp which was then also opened to members of the Red Cross. The camp was dissolved soon afterwards. Of the 5,000 occupants at the time, 4,200 were deported to Germany and 800 were shot.

TRANSLATION OF DOCUMENT M–216

"ISRAELITISCHES WOCHENBLATT"
No. 48, p.5. 1 December 1944.

The "War Refugee Board" in Washington * * * of which Ministers Hull, Stimson and Morgenthau are members, has published a report * * * according to which 1,765,000 Jews were gassed in Birkenau and Oswiecim (Auschwitz) between April 1942 and April 1944.

TRANSLATION OF DOCUMENT M-217

"ISRAELITISCHES WOCHENBLATT"

No. 2, p.6. 12 January 45.

Among the refugees newly arrived in Caux from Hungary are 60 orphans, whose parents have either been shot or deported or have disappeared.

TRANSLATION OF DOCUMENT M-218

"ISRAELITISCHES WOCHENBLATT"

No. 3, p.6. 19 January 45

In the commune of Guervy near Savigny-en-Septaine in central France, mass graves were found in three well shafts. Among the 33 dead were 27 Jews, mostly from Alsace.

TRANSLATION OF DOCUMENT M-219

"ISRAELITISCHES WOCHENBLATT"

No. 3, p.8. 19 January 1945

Yesterday I (Johann Siebert, one of the liquidators of the Riga ghetto) was in the woods of Bickern. There we shot 480 Russians and — think of it — exactly the same number of Jews as well. * * *

In the morning of the 1st of December 1941 the complete destruction of the Riga ghetto started. In groups of 500 the Jewish population were driven out of the town into the woods of Bickern, among them the Chief Rabbi of Riga, Sak. * * * On this day the workers of Riga went on strike as a protest against the mass murder of the Jews.

TRANSLATION OF DOCUMENT M-220

"ISRAELITISCHES WOCHENBLATT"

No. 4, p.6. 26 January 1945.

"Figaro" publishes an article about the French death camp of Lente, to which Jews from Strassburg were sent mostly. It was mainly lawyers, doctors, authors and clerks who were killed here at work, without torture, without gas and without torment. They were simply left to starve slowly to death.

TRANSLATION OF DOCUMENT M-221

"ISRAELITISCHES WOCHENBLATT"
No. 5, p. 6, 2 February 45.

YUGOSLAVIA

According to the report of the committee the large majority of the Jews of this country were killed or deported much earlier already.

TRANSLATION OF DOCUMENT M-222

"ISRAELITISCHES WOCHENBLATT"
No. 5, p. 14, 2 February 45.

The number of Jews living in the East has dwindled from 3½ million to approximately half a million as a result of the dreadful events.

TRANSLATION OF DOCUMENT M-223

"ISRAELITISCHES WOCHENBLATT"
No. 6, p. 5, 9 February 1945.

In Poland alone, 3,200,000 Jews died. To them must be added approximately another 3 million from other European countries, who were driven into the Polish death camps.

TRANSLATION OF DOCUMENT M-224

"ISRAELITISCHES WOCHENBLATT"
No. 6, p.6. 9 February 45.

The Red Army was able to liberate only a few Jews. In Humenne, where 3,000 Jews used to live, only 30 were left, in Sekovce and Trebisov only 2 or 3.

TRANSLATION OF DOCUMENT M-225

"ISRAELITISCHES WOCHENBLATT"
No. 7, p. 6, 16 February 1945.

In Stanislavov the graves of 110,000 Jews from various towns were found.

TRANSLATION OF DOCUMENT M-226

"ISRAELITISCHES WOCHENBLATT"
No. 10, p. 6. 9 March 1945.

According to the report of a Swedish Red Cross delegate, 250 Jews died of starvation in Athens during the month of December, most of them women and children. According to an official government statement, in Salonica, out of 48,000 Jews only 550 are left. The rest were partly killed and partly sent to German forced labour camps.

TRANSLATION OF DOCUMENT M-227

"ISRAELITISCHES WOCHENBLATT"
No. 12, p.6. 23 March 1945

Rafael Lewin, who spent three years in the ghetto of Kovno, reports from Lithuania that of Lithuania's 300,000 Jews only some 2,000 remain alive.

TRANSLATION OF DOCUMENT M-228

"ISRAELITISCHES WOCHENBLATT"
No. 13, p. 7. 29 March 1945

6,141 Jews were buried in a communal grave in the presence of all the surviving Jews in Budapest. They had been found under the ruins of the houses. They were mostly people who had been shot by the Gestapo or Szalasy's troops.

TRANSLATION OF DOCUMENT M-229

"ISRAELITISCHES WOCHENBLATT"
No.14, p.6. 6 April 1945.

The Burgenhaus camp where he was one of 5,000 inmates was "liquidated" by the S.S. with machine guns. According to a government statement only 550 Jews remain in Salonica of 48,000. The remainder had been partly murdered and partly deported to German labour camps.

File [Cover]

Russian Prisoners of War

"Correspondence re complaint about Major Meinel and the Commander of the Prisoners of War in Defense Area (Wehrkreis) VII of the Armed Forces."

[Document A]

Munich, September 12th 1941

1) Introductory Notice
Re: Russian Prisoners of War

According to oral information by the Commandant of the Prisoner of War Camp in Defense Area VII there are within that district about 5,000 Russian prisoners of war. For the purpose of distribution they are held in Stalag Moosburg. Here the Russian prisoners of war are guarded in a separate division of the camp. A considerable part of the Russian prisoners of war have already been distributed for labor in the Higher Administrative Areas of Schwaben and Oberbayern. They are used only in groups and in such a way that they will not be able to get in touch either with the civil population or with other prisoners of war. The individual labor detachments are housed in enclosed areas or huts. The foremen of the labor detachments are usually auxiliary police officials. Every precaution is being taken, and the guard force instructed accordingly so that disturbances cannot occur. Moreover, the guards are allowed to make use of their firearms.

An examination of the Russian prisoners of war who are held in the Moosburg Camp is no longer made since the prisoners of war do not arrive there immediately from the East, but are transferred from Defense Area IV (Dresden) to Moosburg for labor. Presumably they were in Defense Area IV, which also contains a screening camp.

Regarding the staffing of the Special Detachments in the Hammelburg and Langwasser Camps (Nurnberg) I refer to the enclosure. (GRS). [Note: Not in this dossier.] Regarding the distribution of Russian prisoners of war in District XIII the inquiries have not yet been completed. Report will follow when the statements are complete.

2) To be submitted to SS-Sturmbannfuehrer Dr. Isselhorst.

[signed] Wuerstle
SS-Hauptscharfuehrer

[Marginal note in pencil]
The Russians are not screened in
Defense Area IV. [signed] Sch.

[Document B]

Secret State Police
Secret Police High Authority Munich
Nr. secr. Reichm. 66/41 Munich, 23.9.41

SECRET!

I. Teletype! Urgent! To be submitted at once.

a) To the Gestapo directing office in Dresden.
b) To the Gestapo office in Halle (Saale).

Re: Screening of Russian prisoners of war.

Your Ref: Decree of Chief of Security Police (Sipo) and Security Service (SD) of 12.9.41.
Ref. Nr. 21 B/41 top secret (6 Rs.) IV A 1 c.

From the following Stalags situated in Defense Area IV.

1. Army Training Ground Zeithein.
2. Stalag Muehlberg (Elbe).

So far 5,328 Russian prisoners of war have been transferred to Stalag VII in Moosburg near Freising, which is situated within the jurisdiction of this Gestapo. The greater part has been distributed from there into labor detachments. Since these prisoners did not arrive immediately from the East, but from the transit camps mentioned above, they were supposedly screened in these camps by employment detachments [Einsatzkommands].

Please inform me by urgent teletype whether these Russian prisoners of war were screened by you according to the Rules of the Chief of the Security Police and Security Service of 17.7.41. Encl. 2.

II. File in Dossier: Russian P of Ws, II a.
[Handwritten note] Re-submit at once.

By order:
[signed] Schermer
Kriminalkommissar
[corresponding to: CID-Superintendent.]

[Document C]

Secret State Police
Gestapo Directing Office Munich
Teletype office

Teletype

Nr. 18193 From: Dresden Nr. 9284 25.9.41 1310-MI-
To: Munich Office—Secret:
Re: Screening of Russian prisoners of war.
Your Ref: TP Nr. 18117 of 23.9.41—II A.

Since every organizational facility is lacking we have hitherto been unable to start screening Stalag Zeithain. Zeithain is reception camp for Defense Area IV, from there the Russians are transferred to the Muehlberg Transit Camp; there they are screened within a few days according to their labor suitability and subsequently distributed between a number of other Stalags. The 5,328 prisoners of war transferred to your area therefore have not been screened here.

Gestapo Directing Office, Dresden I D-22/41g
By order [signed] Uhlenhaut, KK.
["Kriminalkommissar"]

[Document D]

Secret State Police
Gestapo Directing Office—Munich
Teletype Communications Office.

Teletype

Nr. 18149 Halle Nr. 1849 24.9.41 1505-Schl.
To: Gestapo Directing Office, Munich.
Secret—Urgent—To be submitted at once.
Re: Screening of Russian prisoners of war.
Your Ref. Decr. Chief Security Police and Security Service of 12.9.41 Ref. Nr. 21/B/41 secr. Reichm. IV A. 1 c and your letter TP Nr. 18 117 of 23.9.41 II A1.

Hitherto no screening has been done by us in the two transit camps mentioned.

Gestapo-Off. Halle II A 1-215. Top secret /41, by order:
[signed] Gold, KK

[Document E]

Secret State Police
Gestapo Directing Office, Munich
Teletype Communication

From: Berlin "NUE" 183 483 13.11.41 1555–WE 1—
To: Gestapo Directing Office, attention of Obersturmbannf
Regierungsrat Dr. Isselhorst—or deputy Munich
Re: Screening of Soviet-Russian prisoners of war.
Your Ref: Nr. Nil.

Armed Forces High Command informed us that the screening of Soviet Prisoners of war in the camps and detachments is allegedly done superficially; thus in one case for instance out of 4,800 prisoners 380 are said to have been sorted out. Will you please charge the leaders of the labor detachments to observe the rules given in Enclosure 2 of Employment [Einsatz] Order No. 8. Moreover I recommend that you get in touch with the Commanding Officer of Prisoners of War in Defense Area VII personally and settle this matter. Please report to me as soon as possible on the facts and the result of your negotiation so that I can communicate with the High Command.

The Chief of Security Police and
Security Service—B Nr. 2024
B/rl—g IV A 1 c.
By order [signed] Vogt—SS-Obersturmbannfuehrer.

[Document F]

Secret State Police
Gestapo Directing Office, Munich
II A/Sche

Munich, 15.11.41

Re: Screening of Russian prisoners of war in District VII.
I. Report:

The Munich employment detachment during last week screened a total of 662 Russian prisoners of war in 6 labor camps. Of those 63 Russians were definitely found to be suspect and impossible to tolerate. So far the following camps have been screened:

	Screened	Intolerable
1. Stalag VII A at Moosburg	550	89
2. Aerodrome Lechfeld	330	34

	Screened	Intolerable
3. Farm Management Lechfeld	130	10
4. Aerodrome Landsberg (Lech)	60	14
5. Aerodrome Altenstadts near Schongau	500	72
6. Hohenpeissenberg, Messrs. Lunz & Co.	10	....
7. Liechtenay and Maxlried	80	6
8. Aerodrome Memmingen	214	28
9. Aerodrome Neuburg/Danube	442	79
10. Railway-Traffic-Office Memmingen	55	25
11. Marbleworks Eichstaett	30	5
12. Pfraudnrof near Kipfenberg	25	5
13. Grossmehring n. Ingolstadt	27	4
14. Geissenfeld/Winden	40	2
15. Pfaffenhofen on Jacht	50	....
16. Fahlenbach n. Wolnzach	95	9
17. Wolnzach Station	100	11
18. Schleissheim Aerodrome	350	37
	3088	410

The 410 Russians who were sorted out belong to the following categories:

1. Officials and Officers	3
2. Jews	25
3. Members of Intelligentsia	69
4. Fanatical Communists	146
5. Agitators, Ringleaders, Thieves	85
6. Runaways	35
7. Incurably sick	47
	410

The employment detachment will still have to screen the following labor camps in Defense Area VII:

1. Dorfen on Isen	40	Russians
2. Moosen n. Dorfen	40	"
3. Mettenheim n. Muehldorf on Jagst	150	"
4. Tatzelwurm n. Oberaudorf	50	"
5. Oberegg n. Krumbach, Messrs. Pohl	20	"
6. Oberegg n. Krumbach, Messrs. Bisle	55	"
7. Garmisch-Partenkirchen (Loc. Auth)	110	"
8. Garmisch-Partenkirchen, Army Building Office	40	"
	555	Russians

In Defense Area XIII the employment detachment has screened 2 labor camps in Schwaben as follows:

		Intolerable
1. Deiningen n. Noerdlingen (Air F. Build. Off.)	90	8
2. Heuberg n. Oettingen (Air F. Build. Off.)	120	20
	210	28

Of 410 Russians who were sorted out, the following were executed in the Concentration Camp at Dachau to date:

1. On 15.10.41	27	Russians
2. On 22.10.41	40	"
3. On 8.11.41	99	"
4. On 12.11.41	135	"
	301	Russians

As ordered by the Chief of Security Police and Security Service, every Russian was personally interrogated by the employment detachment and heard as to his political opinions. The enclosed form was used if a Russian was sorted out. It had been possible to appoint for each Labor camp several Soviet-Russians as confidential agents, who in the main were of Ukrainian, Armenian, Baltic, Polish or Rumanian race. The special point was made that every unfavorable report by a confidential agent had to be borne out by the report of another agent. In this way the danger was avoided from the very beginning that one of the agents might accuse a Russian prisoner of war of having been an active agitator in the Soviet Union, animated solely by spite, personal enmity, or other personal reasons.

I repeatedly instructed the members of the employment detachment when we discussed our daily experience, or when we had special conference, that they had to screen the Russians strictly according to the rules issued by the Chief of Security Police and Security Service. Since two interpreters were at my disposal, I divided the employment detachment into two groups, and I satisfied myself in person that they performed the screening correctly. I was present at almost every interrogation, and supervised the two groups in turn.

Up to date, 410 Russians out of a total of 3088 Russians were screened out as intolerable, which corresponds to an average percentage of 13 percent. The Gestapo offices, Nurnberg-Fuerth, and Regensburg screened out an average of 15–17 percent.

I wish to refute most emphatically the complaint of the High Command of the Armed Forces that the screening of the Russians had been carried out in a superficial manner.

Many camp officers and guards in many cases proposed to screen out individual Russians because they had been guilty of small offenses in the camp or of contravening camp discipline. In some cases, on the other hand, they wanted to keep German-speaking Jews in the camp, although they had been screened out, in order to continue using them as interpreters. In either case the members of the employment detachment were not influenced by those wishes, but decided accurately on the basis on their guiding principles.

I assume that the report which the OKW in Berlin received was made by the Counter-Intelligence Officer of Stalag VII A at Moosburg via the C. O. of Prisoners of War in the Defense Area VII. When I was present in Moosburg, I noted that this counter-intelligence officer, Captain Hoerrmann was from the start prejudiced against the work of the employment detachment and also had influenced the Army interpreters. I was informed from a very reliable source that Captain Hoerrmann was very little liked by camp officers and guards, because he favored the French prisoners of war in every way and moreover preferred Jewish prisoners of war as confidential agents. I am going to receive more material about Hoerrmann from one of my agents in the camp next week; I shall then make a detailed report.

The Chief of Counter-Intelligence Office VII, Prisoner of War Department, Capt. Woelzl, gave me a hint about a fortnight ago when we had a conference that Hoerrmann will soon be relieved from his post as Counter-Intelligence Officer of Stalag VII A at Moosburg, since other authorities there already disapproved his attitude.

II. Submitted to the Deputy-Chief.

By order
[signed] Schermer

Secret State Police
Gestapo Directing Office, Munich ....th 1941

Personnel Form

Identity Number: Stalag
Family Name:
First Name:
Born:
At:
Profession:
Whether single, married, widowed, divorced:
Domicile:
Last military rank:
Unit:

Result of Inquiries:

[Document G]

Secret State Police
Gestapo Directing Office, Munich
II A/Sche

Munich, 24.11.1941

Secret!

Re: Screening of Russian Prisoners of War in Defense Area VII of the Forces.

I. Report:

On Saturday, 22nd 11.41, I visited the Counter-Intelligence Officer of the Deputy Army Corps Command VII-Dep., I c-Int. Off./III P.o W., Capt. Dr. Woelzl, Munich, Theresienstr. 4/room 183, and exchanged information with him.

Dr. Woelzl informed me that in the near future 20,000 Russians would arrive in Defense Area VII for allocation as labor. He requested me to assist the Counter-Intelligence Officer of Stalag VII A at Moosburg in the future examination of the Russians; technicians, fitters, locksmiths and engineers to be screened out since these craftsmen would be needed in the near future for restarting the Russian armaments enterprises in the occupied countries.

The OKW have instructed that escaping prisoners should no longer be screened out after one attempt only, and that the OKW had decided to grant them a probation period. He asked me to propose screening only in cases where larceny or violence against persons could be proved.

When I asked him whether Counter-Intelligence Department VII ever had received a complaint from anybody that the employment detachment of the Chief of Security Police and Security Service screened out Russian prisoners of war in a superficial way, he denied this decidedly. He expressed the belief that such a complaint could have been made only by the Commanding Officer for Prisoners of War at Munich. During the conference I received the impression that Dr. Woelzl also was not able to collaborate closely enough with the officers of Stalag VII A at Moosburg and with the C.O. of P.o.W.s and his advisors because in many cases they went over his head. Dr. Woelzl mentioned that other officers had already received a hint to be careful in their relations with him because he was an old Nazi.

He suspected that Major Karl Meinel, born 25.11.77 at Neuburg/Danube, had made a complaint to the High Command of the Armed Forces that the Russians had been superficially screened out. He had found out that Major Meinel, in his capacity as Rural Police Lieutenant Colonel at the headquarters of the Rural Police Department for Upper Bavaria, before the assumption of power had intimately collaborated with the late police president of Munich, Koch, and the late Minister of the Interior, Stuetzel. After the assumption of power, Major Meinel had been pensioned off; the reasons were unknown to him. If I could discover the reasons he would be obliged if I could inform him. In the enclosed Personnel Files of Major Meinel is a report of the Security Service, Directing Section, Munich which says:

> [Follows a note from these Gestapo files, in which Meinel is reproached with having shown after the accession of power not only indifference, but "to some extent even aversion" against the National Socialist creed, thus he had e.g. mentioned God, but not the Fuehrer in an Order of the Day, etc.]

When I assumed my office in the beginning of October 1941 I repeatedly asked Major Meinel by telephone whether I could see him or the C.O. of the PoWs, Major-General von Saur, Munich, Friedrichstr. 11. He answered that in his opinion there was no need for screening the Russians kept in Defense Area VII, since they had already been screened in the different transit camps and Stalags where they had been before. Thereupon I communicated at once by teletype with the Gestapo offices in Dresden and Halle and was informed that the Russians, transferred from the camps Zeithain and Muehlberg to Stalag VII at Moosburg, had not yet been screened by any office. When I informed Major Meinel and later his deputy, Major Mueller, of this fact, they left it to me whether I wished to communicate immediately with the Commander of Stalag VII at Moosburg. Again neither of them recommended a personal interview with the C.O. for PoWs, Major General von Saur, or with his subordinates, Majors Meinel or Mueller. From this attitude I received the impression that Gestapo officials are not welcome there. Now it has been clearly established by the above report from the Security Service Directing Office in Munich, that Major Meinel is prejudiced against the NSDAP and its organizations. The officers of Stalag VII at Moosburg also showed no spirit of collaboration when I carried out my special duty there. Dr. Woelzl informed me that the Commander of Stalag VII A at Moosburg, Colonel Nepf, is an ossified old officer who resents any interference in his routine by other authorities. His only aim is to satisfy the C.O. of PoWs in order to end his career, if possible, as a Major-General. In the same manner the Intelligence Officer in Stalag VII A, Captain Hoerrmann does everything to please Colonel Nepf, in order to attain some benefit for himself.

Dr. Woelzl does not think Captain Hoerrmann suitable for his post as Counter-Intelligence Officer, since he does not receive important information unless directly from other sources.

Captain Dr. Woelzl asked me time and again in our several interviews not to be influenced by the attitude of those officers, and to proceed with screening the Russians precisely according to the prescribed rules. The officers of Stalag VII A displayed the attitude that the Russians ought to be improved by clemency; sick Russians ought to be coddled back to health; in this way they tried to gain for themselves the reputation of being humane men. Experience, however, has shown that the Russians can be compelled to work only by the utmost severity and the use of corporal punishment.

I have certainly not been helped in my task, but I worked strictly in accordance with the instructions.

Dr. Woelzl advised me to ask the Counter-Intelligence Department of Defense Area VII to give an opinion whether or not I carried out my special duty with conscientiousness.

II. To be submitted to the Deputy Director

By order
[signed] Schermer
SS-Obersturmfuehrer and Criminal Commissioner
Director of Employment Detachment

[Document H]

Secret State Police
Gestapo Directing Office, Munich
— The Chief of Office —

Munich, November 24th 1941

Secret!
[stamp] Dispatched
25th Nov. 1941
Dispatching Office

g 9074/41 II A

I. Write: (Written. [initials Ma.])
To the Main Reich Security Office — Dep. IV —
att. of SS-Sturmbannfuehrer Vogt — or deputy
Berlin SW 11
Prince Albrecht-Str. 8

Re: Screening of Soviet Russian Prisoners of War.
Your Ref: Your TP of 13.11.41 Ref. Nr. 2024 B/41 g IV A 1 c.

According to your directive, I approached the Commanding Officer of Prisoners of War in Defense Area VII, Major-General von Saur and asked for an interview about this matter. Major General von Saur was unable to grant me an interview, owing to urgent duties and lack of time, and referred me to the officer in charge, Major Meinel.

To the latter I replied with regard to the complaint of the High Command, that the Russian prisoners of war had been screened by our Employment Detachment in complete accordance with the instructions contained in enclosure II to Allocation (Einsatz) Order Nr. 8.

[Follows some figures etc. taken from Schermer's report of 15.11.41.]

[Next page, line 8]

Major Meinel gave a hint that it was he who had made the complaint in question, and that he considered the manner intolerable in which the Soviet-Russian prisoners of war were treated here. He was an old soldier, and such proceedings could not be approved from a soldierly point of view. If a soldier of the enemy had been captured, then he was a prisoner and must not be shot at anybody's whim. The second reason for his objection to this procedure was that the labor supply for Defense Area VII was catastrophically bad so that every man was urgently needed for labor. On the other hand, it was well known that the Russians were, in general, good workers, and he could not understand why one executed these able workers, especially as these Russians had already been screened in the Eastern transit camps. Furthermore, Meinel remarked that he also objected to the procedure followed for the reason that news of it gradually leaked out to the outer world, which involved the danger that Soviet Russian authorities would also learn about it. In that case we had certainly to reckon with the fact that the Soviets would treat German prisoners of war in exactly the same manner as we treated theirs. To the latter point I replied that the Soviets as far as could be judged from the experiences hitherto had and from what I had been able to find out, would probably take no German prisoners at all, and that probably no German soldier would ever return alive from Russian captivity. Furthermore, I pointed out to Major Meinel that the work of the Gestapo employment detachments was done with the consent of the High Command of the Armed Forces, and according to rules which had been drafted in collaboration with the High Command, Department Prisoners of War. To which Meinel replied that the entire procedure was, in his opinion, wrong, and that he was going to report to that effect to Berlin. He was of the opinion that first some firsthand information should have been gathered with regard to the Russian prisoners, and that appropriate measures should have been taken after, not before, such information had been collected. Besides, he believed it would be desirable to allow the Russian prisoners of war, especially the intelligensia among them, to get acquainted with life in Germany, so that they could enlighten their comrades. I notified Major Meinel that this opinion of his was not binding upon me, and that the employment detachment of the Gestapo Directing Office in Munich would proceed in its work until either the screening of Russian prisoners of war was completed or we had received an order from the Main Reich Security Office to terminate the screening activity in this district. For the rest, I announced to Major Meinel my intention to report to my superior authority.

[Follow denunciations against Major Meinel, taken verbally from Schermer's report of 24.11.41.]

[The letter ends:]

The activity of the employment detachment is completed for the time being. But in the near future the arrival of 20,000 more Russian PoWs in the Defense Area VII is to be expected, according to information by Captain Dr. Woelzl.

II. One copy to Inspector of Security Police and Security Service.

III. One copy to the Leader of the Higher SS and Police.

IV. To submit to Regierungs-Assessor Marmon for his information.

V. To be filed.

The deputy
[signature]
Schimmel

[Document I]

Secret State Police
Gestapo Directing Office, Munich
The Chief of Office
Secr. 9074/41 II A

12 Dec. 1941

Secret!
[stamp] Dispatched
15th Dec. 1941
Dispatching Office.

I. Report: (typed G.W.)
To the Main Reich Security Office—Dept. IV
  Att. of SS-Gruppenfuehrer Mueller.
  Berlin

Re: Screening of Russian Prisoners of War
Your Ref: Your teletype of 13.11.41 B.Nr. 2024/41 B secr. IV A 1 c., my report of 24.11.41 B.Nr. secr. 9074/41 IIA.

The Higher SS & Police Fuehrer, SS-Obergruppenfuehrer Freiherr von Eberstein recently asked me to inform the Main Reich Security Office that it would be desirable if you would enter into negotiations with the High Command in order to urge the relief or transfer of Major Meinel, a subordinate of the Commanding Officer of PoWs in this district; this is the officer with whose objectionable attitude I dealt at length in my report mentioned above. SS-Obergruppenfuehrer Freiherr von Eberstein thinks it intolerable that Meinel should continue to have his appointment here, since it must be expected that his attitude might lead to disagreeable discussions with the District Command of this place, which would endanger our mutual cooperation.

I request you take note of this for your information and possible further action.

II. To be filed.

As deputy
[signature]
Schimmel

[Document J]

[Note: This letter is a copy]

Munich, January 13th 1942.

The Officer Commanding the Prisoners
  of War in Defense Area VII—
Ref. Nr. IIa Nr. 19/42 secr.

Secret!

The Higher SS & Police Fuehrer in the
  Bavarian Ministry of the Interior
SS-Obergruppenfuehrer & General of Police
Freiherr von Eberstein.
Munich

Dear Baron Eberstein,

In reply to your letter of 24.12.41 I beg to enclose copy of a report which Major Meinel made to me by request; it gives a different picture of the facts. Major Meinel did not make the activity of the employment detachment more difficult.

The objections of Major Meinel to the manner in which the screening was carried out originated from reports of the Camp Commander which left me with the same impression. I voiced these objections towards the High Command since I thought the results of the project were too uncertain to risk the injury to the camp discipline and to the labor supply which necessarily must result from it. The reason for the objections thus far was of a merely practical and procedural nature and did not include a criticism of the measure itself.

I may be allowed to expect that this explanation is sufficient to remove the friction prevailing now and am

With Heil Hitler
Yours sincerely
[signed] v. Saur
Major-General

[Enclosure to the letter of 13.1.1942, von Saur to Eberstein]

To: The O.C. the PoWs in Defense Area VII
Re: Interview with Regierungsrat Schimmel.

The interview with Regierungsrat Schimmel only concerned facts. I did not make any objections. I only informed him of the first-hand information acquired while carrying out the instructions and asked whether the proper authorities might not draw conclusions from this information.

* * * * * * *

When I mentioned that weighed heavily on the officers' conscience to hand over the prisoners, Regierungsrat Schimmel replied that the hearts of some of the SS men who were charged with executing prisoners were all but breaking.

* * * * * * *

[signed] Meinel

[Document K]

Secret State Police
Gestapo Directing Office, Munich
II A/Sche

Munich, 16.1.42.
Secret!

Re: Screening of Soviet Russian Prisoners of War
I. Comment to Major Meinel's report of 13.1.42.

[The first two pages of this document contain nothing but repetition.]

[Page 3]

In the meantime I found out that of the 474 Russian PoWs who had been screened out, only 301 Russians were transferred to the Dachau Concentration Camp. By order of Major Meinel the remaining number were not delivered to the Dachau Concentration Camp. The 173 Russians thus retained in Stalag VII A at Moosburg are seditious, fanatical Communists who are not suitable for work, as has been ascertained in the conscientious examination by the employment detachment. I make a special point of requesting that these 173 Russians should be transferred at once to the Dachau Concentration Camp as has been expressly ordered by the Chief of the Security Police and Security Service, Berlin. On 9.1.43 I requested the Gestapo Office in Regensburg to report on their experiences. The Chief of the employment detachment there, SS-Obersturmfuehrer & Kriminalkommissar Kuhn, saw me today at 14.30 hours in my office and reported in person that he had similar difficulties. Of the 244 Russians screened out by the Gestapo Office in Regensburg (Lower Bavaria) only 30 Russians have been transferred up to date to the Dachau Concentration Camp. Thus there also 214 Russians are still retained without justification. Mr. Kuhn finally went to see the Commanding Officer of Prisoners of War, Munich, Friedrichstr. 11, where he is going to try to have the 214 Russians delivered. He is going to report the result of his interview at once to the Main Security Office, Berlin, and he will provide us with a copy.

II. With one file folder and two enclosures submitted through the Chief of Dept. II to the Chief.

By order
[signed] Schermer

[Document L]

Secret State Police
Gestapo Directing Office, Munich
The Chief of Office
Nr. Secr. 9074/41 II A

Munich, 21st January 1941

Secret!

[stamp] Dispatched
22 Jan. 1941
Dispatch Office

I. Report—(Typed: Ma)
The Higher SS & Police Fuehrer
SS-Obergruppenfuehrer and General of Police
Freiherr von Eberstein
Munich

Re: Screening of Soviet Russian Prisoners of War.
Your Ref: My report of 24.11.41.
Encl. 3

Enclosed I return the letter from the Commanding Officer of PoWs in Defense Area VII to the Higher SS and Police Fuehrer in the Defense Areas VII and XIII, and the report made by Major Meinel on 13.1.42 re the interview with me. To these documents I report as follows:

I have nothing to add to the facts reported by me on 24.11.41.

* * * * * * *

It is true, and I do not deny it, that I mentioned the fact that executing the prisoners weighed heavily on the consciences of the SS men charged with this duty.

II. To be filed.

The deputy:
[Illegible—Probably Schimmel]

[Document M]

Secret State Police — Munich, January 23rd 1942
Gestapo Directing Office, Munich
[Pencil] Delivered by me in person on 24.1.42
[Initial]

The Chief of Office
Ref. Nr. secr. 9074/41 II A

I. Report (Typed: Ma)
The Deputy Inspector of Security Police and Security Service
SS-Obersturmbannfuehrer and Oberregierungsrat
Schmitz-Voigt
Munich

Re: Screening of Soviet Russian Prisoners of War.

* * * * * * *

[Page 9]

Major Meimel as well as his deputy, Major Mueller have not in any way assisted in the work of the special detachment of this office, but only hampered its work. The strange attitude of Major Meimel can also be seen in the fact that he refused to deliver 173 Russian prisoners of war who had been screened out as intolerable by the employment detachment. His reason for retaining them is as follows, in his letter of 14.1.42 of which the Higher SS and Police Fuehrer received a copy:

"The 173 Soviet PoWs whom I am asked to deliver were screened out in the period between 22.9 and 22.11.41 by the employment detachment of the Chief of Security Police and Security Service. In the meantime the Fuehrer ordered the Soviet PoWs to be used for work to an increased extent. This order was communicated by the High Command—Ref. Nr. 2 f 24.12a AWA PoW I b Nr. 8648/41 of the 18.12.41 to the Reichfuehrer-SS and Chief of the German Police and to all interested Reich Ministries. Within the territory of Defense Area VII the labor supply situation is extremely critical and every worker is urgently needed. For this reason I request that the 173 Soviet PoWs who have been screened out be examined again, in order to retain for the labor supply as many as appear still tolerable. I request you to inform me of the result."

The Higher SS and Police Fuehrer thereupon replied to the Commanding Officer of PoWs in Defense Area VII, Major General von Saur, by letter of 23.1.42 as follows:

"Sir:

I received copy of a letter addressed to the Gestapo Directing Office in Munich and submitted it to the Reich Commissioner for Defense for his decision. The Reich Commissioner for Defense is of the opinion that the Gestapo officials carried out the examinations with all due conscientiousness, according to the importance of the decisions to be taken. He therefore sees no reason for ordering a second examination, especially as such order would appear undesirable owing to the time involved and the scarcity of personnel. The Reich Commissioner for Defense is furthermore convinced that the measures which were started, should be completed in the interest of German internal security.

"I should be glad if you would accept this communication at the same time as the reply of the Gestapo Directing Office, Munich to the application of 14.1.42."

Referring to the statements made by the Higher SS and Police Fuehrer in his report of today, I should be glad if you would urge the Main Reich Security Office, SS-Gruppenfuehrer Mueller, to bring about the speedy recall of Major Meinel by the High Command.

In conclusion, I beg to report the number of Russians examined and screened out by my employment detachment and that of the Gestapo Office in Regensburg:

By the employment detachment of the Regensburg Gestapo within the territory of Defense Area XIII 2,344, of whom 330 were screened out as intolerable.

Within the territory of Defense Area VII, 1,254, of whom 278 were screened out as unsuitable for use.

By the employment detachment of the Gestapo Directing Office, Munich, within the territory of Defense Area VII, 3,578, of whom 456 were screened out as unsuitable.

Within the territory of Defense area XIII, 210, of whom 18 were screened out as unsuitable.

The number of prisoners of war examined and screened out by the Gestapo Office, Nurnberg, has not yet been ascertained.

II. To be filed.

As deputy
[signed] [illegible—Schimmel?]

[Document N]

Secret State Police SECRET! Munich, 26.11.1941
Gestapo Directing Office, Munich
II A/Sche

Re: Screening of Russian prisoners of war in Defense Area VII.
I. Report on Activity:

The employment detachment in the period from 29.9.41 to 22.11.41 screened the Russian prisoners of war distributed by Stalag VII A at Moosburg into labor detachments within the territory of the Gestapo Directing Office, Munich (Upper Bavaria and Schwaben) from a political point of view.

[A detailed account follows ending with the following figures]

Screened	Intolerable
3,578	456

Moreover the Munich employment detachment screened two labor detachments of Defense Area XIII, Nurnberg, with the following result:

[Follow figures for two camps which are added to above total, resulting in a new total of]

Screened	Intolerable
3,788	484

The 484 Russians who were screened out fall under the following categories:

1.	Officials and Officers	4
2.	Jews	31
3.	Members of Intelligentsia	81
4.	Fanatical Communists	174
5.	Agitators and Ringleaders	94
6.	Runaways	38
7.	Incurably sick	62
	Total	484

The Munich employment detachment therefore has screened all labor detachments stationed in Upper Bavaria and Schwaben. Its work was terminated for the time being. Its members were put at the disposal of their offices, beginning 26.11.41.

The commander of Stalag II A at Moosburg reported that within the next 10–14 days the arrival of 20,000 more Russians may be expected. In this case the employment detachment will resume its duties at once. I reported at the end of each week to the Chief of the Gestapo Directing Office in Munich on special events occurring during my work.

II. Through the Deputy Chief II.
Submitted to the Deputy Chief of Office.

[Initials]
By order
[signed] Schermer

[Document O]

Secret State Police
Gestapo Office Regensburg

Regensburg, January 17th 1942.

Secret!

Ref. Nr. 144/42 secr.
To Secret State Police
Gestapo Higher Directing Office
Munich, att. of KK Schermer

Re: Soviet Russian PoWs
Your Ref: Your letter of 9.1.42 secr. Nr. 9074/41 II A/Sche
One list enclosed.

Enclosed I submit the desired account of the activity of my employment detachment in the Russian camps and a list containing the figures of Russians examined, and of those screened out and transferred into the Flossenburg and Dachau concentration camps.

By order:
[Illegible]

[The enclosed list ends with the following figures]:

	Screened	Intolerable
Defense Area XIII................	2,344	344
Defense Area VII................	1,254	278

[Following is end of letter]:

In Defense Area XIII the best relations prevail between the employment detachments of the security police in the Russian PoW camps and the Army authorities. Here the Russian PoWs who are screened out are delivered without difficulties and in the shortest time to the Flossenburg concentration camp.

Regensburg, 17 January 1942
Secret State Police
Gestapo Office Regensburg
By order
[sig. illegible]

[Document P]

Copy

Secret State Police
Gestapo Office Regensburg
Tel. 5145
Ref. Nr. 114/42/II secr.

Regensburg, January 19th 1942.

To the Main Reich Security Office IV
Berlin

Re: Guiding principles for the Detachments of the Chief of Security Police and Security Service which are sent to the Enlisted Men's Camps.

Your Ref: Decree of 14.8.41 B.Nr. 21/8/41 secr. Rs IV A 1 c

In the period from 21.10.41 to 3.11.41, 13 labor detachments consisting of a total of 1125 Soviet Russians were screened, by whom 244 were declared intolerable. This decision was confirmed by the Main Reich Security Office with teletype Decree of 10.11.41 Nr. 989/41 sub Nr. 2007/41 IV A 1 c; the decree at the same time ordered the execution of the PoWs who had been screened out. Stalag VII A at Moosburg was asked by our letter of 11 November 1941–Nr. 3295/II secr. to deliver the 244 prisoners to the Dachau Concentration camp. It was not until recently that we were informed by the Dachau Concentration Camp, following our inquiry, that the 244 prisoners were not delivered there.

On this matter the leader of the employment detachment, SS-Obersturmfuehrer Kriminalkommissar Kuhn, reported the following:

"On January 16th 1942 I proceeded to Stalag VII A at Moosburg in order to inquire why the 244 prisoners were not delivered to the Dachau Commanding Officer. The A.D.C. informed me that the Commanding Officer of PoW Camps in Defense Area VII at Munich had given the order that the prisoners were not to be delivered. Thereupon I proceeded to the officer charged with this matter on the staff of the Commanding Officer of PoW Camps in Defense Area VII, Major Meinel. In my ensuing interview Major Dr. Meuller was also present. Major Meinel declared he was in possession of a directive from the High Command which ordered the delivery of the prisoners to be stopped. When I replied that I had not been informed of such an order and that in Defense Area XIII the prisoners had been delivered without any objection, he said General Schimmel in Nurnberg could do what he pleased, he on his part had been ordered by telephone to stop delivery. When he had a second telephone talk with the High Command on 14.1.42, he had been instructed that the Russians whose delivery was requested by the Gestapo had to be handed over as a rule, but in every such case it had to be ascertained whether the prisoners were objected to because they were bad characters, lazy, or unfit for work, or whether the objection was based on other grounds. In the latter case negotiations had to be opened with the Gestapo, in which he had to point out that the Russians were urgently needed for work. Moreover, there were the decrees of the High Command of 18.12.41 Nr. 8648/41 and of the Chief of the High Command of 24.12.41 Nr. 8770/41 which had been transmitted to the Reich Fuehrer SS also, which showed an alteration in the original intention. He pointed out that every Russian taken away was equivalent to losing a man who could work 10 hours a day. When I replied that I understood his point, but was under orders to screen the prisoners from the political viewpoint and to screen out those who were unbearable, he gave the answer, the situation now was such that we could no longer afford this attitude, we had now reached the point where we had to use prisoner labor in armament industries and that, therefore, we must handle them with kid gloves. In this connection he added the question, in what way did I want to ascertain their political unreliability, whereupon I replied that this was the Gestapo's business.

He then returned the list containing the names of the prisoners to be handed over to the Regensburg Gestapo Office with the request to screen the prisoners once more on the lines mentioned above; at the same time the Camp Commander was going to make more detailed inquiries on his part.

During the interview with Major Meinel I did not receive the impression that he was exclusively interested in maintaining the labor supply, but rather that he only wanted to defy the measures of the Gestapo. This I concluded from his statement, that the Russians were still under the command of the Wehrmacht, as long as they had not yet been handed over to the Gestapo, and that the Gestapo could not do with them as they liked until they were delivered to them.

I ascertained from a personal visit to the Gestapo Directing Office in Munich that he made the same difficulties to that authority. This authority already reported on this matter to the Main Reich Security Office, Berlin, mentioning on this occasion particulars concerning Major Meinel.

I submit this report for your information and to ask for further orders. Owing to the prevailing scarcity of personnel I am not in a position to order a second screening of the Russian Camps in the farthest corners of my area. The Commanding Officer of PoW Camps in Defense Area XIII hitherto made no objections. There the Russians are delivered in the shortest time after request.

[signed]
Popp

Gestapo Directing Office, Munich
Submitted to Chief
By order: Schermer

[Document Q]

Secret State Police
Gestapo Directing Office, Munich
secr. 9116/41 II A/Sche

Munich, 28.1.42.

I. Fast teletype
To the Main Reich Security Office.
Attention of SS-Gruppenfuehrer and Lt. Gen. of Police, Mueller, Berlin.
Re: Soviet-Russian Prisoners of War in Defense Area VII.
Your Ref. My report of 26.1.42 Nr. secr. 9116/41 II A.

I reported on 26.1.42 that the Commanding Officer of PoWs in Defense Area VII handed over only 335 out of 734 Russians who had been screened out, whereas he retains the remainder of 399 Russians without justification. Presently I discovered that the Russians who had been screened out, though they were relieved from their former detachments, were distributed again on 7.1.42 for newly formed labor-detachments. Using these segregated, fanatical Bolshevists in work outside of the camp is equivalent to a considerable danger for the security of the nation and the State. I should be glad if you would induce the High Command, Dept. PoWs, General Reinecke, Berlin, to order at once that these Russians be withdrawn from outside work.

II. To be filed.

As deputy
[signed] Schimmel, Regierungsrat

A true copy
Schermer

[Document R]

Commander of Prisoners of War in Defense Area VII
Munich, 12.2.1942.
I b Ref. Nr. B.XI/12 Nr. 57 secr.
To the Higher SS & Police Fuehrer in Defense Areas VII and XIII
Copies to
Reich Defense Commissioner for the Defense Areas VII and XIII
Secret State Police, Gestapo directing Office, Munich
Secret State Police, Gestapo Directing Office, Regensburg

Re: Soviet Russian Prisoners of War

The OKW has ordered with decree Ref. Nr. 2 f 24.11n Chief PoWs (Ia) Nr. 284/42 secr. of 4.2.42 the following:

"The prisoners held in Stalag VII A, but screened out by the Security Police or the Security Service, are to be handed over to the Gestapo. Those Soviet PoWs who have been screened out in their place of work are to be taken back to the Stalag and there screened once more by the Security Police. The screening will be done in the presence and with the participation of the leaders of the labor detachments to which the prisoners in question belong. Defense Area Command will communicate this decision to the police authorities and take further action in agreement with them." In order to assemble at the right time the PoWs who are now working but were previously screened out in their place of work, I should be glad to be informed at what time the new examination will take place in the camp of Moosburg.

[signed] von Saur

Mue/Ma

[Document S]

Secret State Police
Gestapo Directing Office, Munich
Teletype Office
From BLN. Nue. 27,175 14.2.42 1835 Wel.—

A) To Directing Office, Munich, att of Oberregierungsrat Schimmel, or dep.

B) To State Police, Regensburg, att Police Director Popp, or deputy.

Re: Treatment of Prisoner of War Matters in Defense Area VII
Your Ref: My teletype of 9.2.42

Obergruppenfuehrer Freiherr von Eberstein reported to Deputy Chief IV the facts by telephone; thereupon we requested the High Command to hand over the PoWs without further confirmation. High Command will answer by letter on Monday. I shall inform you at once.

Regarding Meinel sharp protest is being lodged with High Command.

Added for High Authority Munich: Will you please inform von Eberstein at once.

Main Reich Security Office—signed Panzinger, Oberregierungsrat.

[Document T]

Teletype: Berlin Nr. 27 766 17.2.42 1905 BE
Re: Treatment of Prisoner of War Matters in Defense Area VII
Your Ref: Known

The prisoners of war who have been screened out will be transferred to the Buchenwald concentration camp as the High Command has decided in conference today. Will you please inform the Higher SS and Police Fuehrer today about this and also that Meinel is getting a different assignment.

Main Reich Security Office IV A. By order [signed]
Panzinger, SS-Obersturmbannfuehrer.

[Document U]

DRAFT!

Secret State Police 24.2.42
Gestapo Directing Office, Munich
II A Secret!
9116/41 secr. II A

I. Write: (Typed) [stamp] Dispatched
Feb. 26th 1942
Dispatch Office

The Commander of Stalag VII A
Moosburg

Re: Soviet Russian Prisoners of War
Your Ref: Nil
Enclosed: 1 List

The advisor [Referent] to the Commander of Prisoners of War in Defense Area VII—Major Dr. Mueller, informed us by telephone on 24.2.42 that owing to a new order by the High Command the Russian prisoners of war who have been screened out are to be delivered to the Buchenwald Concentration Camp near Weimar.

The employment detachment in Munich screened in the area of the Gestapo Directing Office, Munich (upper-Bavaria and Schwaben) altogether 3,578 Russian Prisoners of War.

Of these were screened out:	455 PoWs
Already delivered to the Dachau Concentration Camp	267 PoWs
Consequently there are to be delivered to the Buchenwald Concentration Camp	188 PoWs

For checking purposes I enclose a list of the prisoners of war screened out by us, arranged according to identity discs and would be glad if you would let me have the number and identity marks of the delivered prisoners of war after the transport's departure.

II. To be filed.
Submit to II A at once. [Initial]

[Document V]

LIST

Of the Russian Prisoners of War in Defense Area VII screened out by the employment detachment of the Chief of Security Police and Security Service. (Gestapo Directing Office Munich.)

No.: Stalag Identity No: Surname: First Name:

sent to Dachau Concentration Camp on:

[There follow 455 names]

[Document W]

DRAFT

Secret State Police
Gestapo Directing Office, Munich
II A
No. Secret 9074/41 II A/ Sche

3 November 1941

I. Letter: gef. Au
To: The Commander of Stalag VII A
Moosburg
Re: Russian Prisoners of War
Your Ref: High Command of 8 Sept. 1941 ref. no. 2f 24.11
AWA/P/W(I) No. 3058/41 Secret
Encl: 1 letter to Commander of Dachau Concentration Camp.

The employment detachment of the Chief Security Police and Security Service has screened out 3 more Russians in Stalag VII A at Moosburg, viz:

1. F 304 10188 Ygnatziak Iwan, 12 Oct. 1913.
2. IV B–117772 Dawanow Michayl, 15 May 1919
3. IV B–119827 Schtscherbakow Andrey, 17 Sept. 1914

By order of the Chief of Security Police and Security Service I request that these three Russians be handed over and delivered to the Dachau Concentration Camp.

Please order the transport commander to deliver the enclosed letter to the Commander of the Dachau Concentration Camp in person.

II. To be filed: Russian Prisoners of War in II A.
W. V. II A alsl.

By order:
[signed] Schermer

[Stamp]
Secret State Police
Munich

[Document X]

DRAFT

3 November 1941

Secret State Police
Gestapo Directing Office Munich
No. Secret 9074/41 II A/Sche

I. Letter: gef. AU
The Commander of the Dachau Concentration Camp
Re: Russian Prisoners of War
Your Ref: Decree of Chief of Security Police and Security Service of 11 Oct. 1941. No. 639 B-41 Secret IV A 1 c.
Encl: None.

By order of the Chief of Security Police and Security Service the following three Russians who have definitely been found suspect and intolerable by the employment detachment are to be executed at once in Dachau Concentration Camp.

1. F 304-10118 Ignatziak Iwan, 12 Oct. 1913.
2. IV B-117772 Dawanow Michayl, 15 May 1919.
3. IV B 119827 Schtscherbakow Andrey, 17 Sept. 1914.

II. To be filed: Russian Prisoners of War

By order:
[Signed] Schermer

[Stamp]
Secret State Police
Munich

TRANSLATION OF DOCUMENT 007

The Reichfuehrer SS
Diary No. 1741/43 top secret
RF/Bn

Field Command Post, 7 Sept 43.

Top Secret!

To the
Higher SS and Police Chief Ukraine
Kiev.

7 copies.
7th copy.

Dear Pruetzmann,

Infantry general Staff has special orders with regard to the Donetz area. Get in touch with him immediately. I order you to cooperate as much as you can. The aim to be achieved is that when areas in the Ukraine are evacuated, not a human being, not a single head of cattle, not a hundredweight of cereals and not a railway line remain behind; that not a house remains standing, not a mine is available which is not destroyed for years to come, that there is not a well which is not poisoned. The enemy must really find completely burned and destroyed land. Discuss these things with Stampf straight away and do your absolute best.

Heil Hitler,
Yours
[sgd] Himmler.

SS Obergruppenf. Berger has received the copy with the request that the Reich Minister for the East be informed.

2.) Chief of the Regular Police
3.) Chief of the Security Police and SS
4.) SS Obergruppenfuehrer Berger
5.) Chief of the Partisan-combatting units.

Copies sent with a request that they be noted.

By order
[initial]
SS Obersturmbannfuehrer.

TRANSLATION OF DOCUMENT 008

Institute for Practical
Scientific Research for
Military Purposes.
G.R.Z. I A.H. No. 41

Waischenfeld/Upper-Franconia,
19 May 1944,
No. 135 Tel. No. 2

Top Secret

[Institut fuer wehrwissenschaftliche Zweckforschung]

4 copies
2nd copy

To

SS-Obergruppenfuehrer and General of the Waffen SS Pohl,
Chief of the SS Economic Administrative Head Office (WVHA),
Berlin-Lichterfelde-West
Unter den Eichen 126–135.

Subject: Production of a new kind of spotted fever serum.
Reference: Your letter of 25. 10. 43 /D III / Ref. No. 87/10.43
Lg/W
Secret Diary No. 51/43.

Dear Obergruppenfuehrer,

Following our application of 30.9.43, you gave your authorization on the 25. 10. 43 for the carrying out of experiments with a view to producing a new kind of spotted fever serum and transferred 100 suitable prisoners to Natzweiler for this purpose. It has been possible to carry out the experiments very satisfactorily so far with the help of the Chief of Department D III, SS Standartenfuehrer Dr. Dolling commissioned by you. It appeared from the results of the report before us that it is possible not only to achieve an anti-toxical, but—what should be of special practical importance also—a decided anti-infectional immunity with the help of this serum. Inoculation, however, still produces a lengthy fever reaction, so that its introduction for the protective inoculation in its present form cannot be recommended as yet. Further research is being carried out now with a view to changing the serum in such a way as to produce only so weak a reaction that no considerable effect on the general well-being takes place, while retaining its full effectiveness. It is to be examined whether this can be achieved by decreasing the doses of the serum and by longer storage of the serum. The new serum is already in preparation so that further experiments could be embarked upon as soon as further persons suitable for the experiments are available. I therefore request you to detail persons to Natzweiler again for the purpose of inoculation. In order to obtain results which are as accurate as possible and can also be utilised for statistical purposes, 200 persons should be placed at our disposal for inoculation this time; it is also again necessary that they be as far as possible in the same physical condition as is met with amongst members of the Armed Forces. If imperative reasons should demand that 200 persons should not be transferred to Natzweiler for the experiments, the experiments could be carried out in a different concentration camp, although it would entail great difficulties. The overcoming of these difficulties would, if necessary have to be accepted by the scientists employed—although the latter are at the same time very much tied down to the University of Strassburg owing to their lecturing activities—as the results which will certainly be achieved are of the most far reaching importance for maintaining the health.

As I have informed you, the direction for carrying out the experiments is in the hands of the Director of the Hygienic Institute of the Reich University of Strassburg, Prof. Dr. Haagen, Major in the Medical Corps and consulting hygienist to an air fleet, who was commissioned with this task by the Reich Marshal, the President of the Reich Research Council. In accordance with his instructions, Dr. Haagen has to report about his work to the chief of the Luftwaffe Medical Services; in doing this he has to mention with whose support the work is carried out; that is firstly the Reich Research Council and secondly the SS. I request your decision as to which of the following is to be mentioned as the supporting authority of the SS:

a) the Reichsfuehrer SS or
b) the SS Economic Administrative Head Office (WVHA) or
c) the Institute for practical scientific research for military purposes of the Waffen SS.

Heil Hitler!
[signature illegible]
SS Standartenfuehrer

To SS-Standartenfuehrer
Dr. Brandt for cognisance

TRANSLATION OF DOCUMENT 009

The Reichfuehrer SS,
Personal Staff.
Diary No. 1934/44 top secret
Bra/H.

Field Command Post. 6 June 44.

Subject: Production of a new kind of serum against spotted fever.
Ref: Your letter of 19. 5. 44. to SS Obergruppenfuehrer Pohl
file ref. G.R.Z.—I A.H. No. 41.
Register

To
SS Standartenfuehrer Sievers
Waischenfeld / Upper Franconia

Dear Comrade Sievers,

Thanks very much for sending the copy of your letter of 19. 5. 44 to SS Obergruppenfuehrer Pohl. I have informed the Reichsfuehrer SS, as the matter seemed to me to be sufficiently important. In answer to the question as to who is to be designated as the supporting authority of the SS, the Reichfuehrer SS said that both the SS Economic Administrative Office (WVHA) and the institute for scientific research of military value [Institute fuer-wehrwissenschaftliche zweckforschung] should be mentioned. In addition, there is no objection to saying straight out that the Reichfuehrer SS has also personally supported the experiments.

Heil Hitler!
Yours,
[initials]
SS Standartenfuehrer.

TRANSLATION OF DOCUMENT 010

1 June 1943.
Berlin W. 15,

The Reichfuehrer SS
Reich doctor SS and Police
Ref. No. 420/IV/43
Diary No. 6/43/ Top Secret.

Subject: Investigation into the cause of contagious jaundice (Hepatitis epidemica.)

Top Secret

To the
Reichsfuehrer SS, H. Himmler,
Berlin.

Dear Reichsfuehrer,

The Fuehrer's Commissioner-General, SS Brigadefuehrer Professor Dr. Brandt called on me with the request that I should assist him by placing prisoners at his disposal for research work into the cause of contagious jaundice (Hepatitis epidemica) which he was furthering considerably.

The work has been carried out up to now by a medical captain, Dr. Dohmen, within the framework of the research place of the army medical inspectorate, with the participation of the Robert Koch institute. It has up to now led to the result, in agreement with the results of other German research workers, that contagious jaundice is not carried by bacteria but by a virus. In order to increase our knowledge, which is based up to now only on vaccination experiments from men to animals, the reverse way is now necessary, namely the vaccination of the cultivated virus germ into humans. One must reckon on cases of death.

The therapeutic and above all the prophylactic results are naturally largely dependent on this last experimental step. Eight prisoners condemned to death would be required, if possible of fairly young age, within the prisoners hospital of Sachsenhausen concentration camp. I respectfully ask for a decision, Reichsfuehrer, as to:

1. Whether I may start the experiments in the prescribed form,
2. Whether the experiments may be carried out in the Sachsenhausen prisoners' hospital by medical captain Dr. Dohmen himself.

Although Herr Dohmen does not belong to the SS (he is an SA leader and a Party member), I would recommend this as an exception in the interests of the continuity of the series of experiments and thus of the accuracy of the results.

The practical importance of the question raised for our own troops, especially in Southern Russia, is shown by the fact that this illness has been very widespread in the past years, both amongst us in the Waffen-SS and the police and in the Army, so that companies have been reduced by 60 percent for periods of up to 6 weeks.

The illness has, on the other hand, a relatively favourable prognosis on the whole, when quick and practical treatment is begun. The possibility of a prophylaxis by means of infection would gain considerable tactical importance.

Signed
Graum [?]

TRANSLATION OF DOCUMENT 011

Field Command Post,
16 June 43.

The Reichsfuehrer SS
Diary No. 1652/43 top secret
R.F. /Bn.

Subject: Research into the cause of infectious jaundice (Hepatitis epidemica).
Ref: Yours of 1.6.43—Ref. No. 420/IV/43—Diary No. 6/43 top secret.

Top Secret!

To the
Reich doctor SS and Police

Berlin.

4 copies
4th copy

I confirm receipt of your letter of 1.6.43.

1. I give permission for 8 criminals condemned to death in Auschwitz (8 Jews of the Polish resistance movement who have been condemned to death) to be used for the experiments.

2. I agree to Dr. Dohmen carrying out these experiments at Sachsenhausen.

3. Like you, I am of the opinion that a real combatting of infectious jaundice would be of untold value.

[Sgd.] H. Himmler.

2) SS Obergruppenfuehrer Pohl, Berlin
Copy sent with a request that note be taken.

[Initial]
SS Obersturmbannfuehrer.

TRANSLATION OF DOCUMENT 015

The Reichsfuehrer-SS
Personal Staff
Department "A"

Waischenfeld 11.4.44.

TOP SECRET

Top Secret Z 1 A 31/No 36
Secret Diary p. 19 No 170
2 copies
1st copy

To: SS Obersturmbannfuehrer Dr. Brandt
Berlin

Subject: Fuehrer's order of the 1.3.44.
Ref: Your letter of the 10.3.44 diary No 1888/44 Top Secret.

Dear Comrade Brandt,

In accordance with orders, I got in touch with SS Brigadefuehrer Professor Dr. Brandt and informed him in Beelitz on the 31st March about the research work conducted by SS Hauptsturmfuehrer Professor Dr. Hirt. On this occasion I handed to him the plan for the treatment of L.—Damage worked out by Professor Hirt, a copy of which I enclose for you for presentation to the Reichsfuehrer SS if the occasion should arise.

Professor Brandt tells me that he will be in Strassburg in the first week in April and that he intends to discuss details with Professor Hirt then, after which he will contact me again.

I will keep you informed continually.

With best wishes,
Heil Hitler.
Yours
[signature illegible].

TRANSLATION OF DOCUMENT 022

Copy

The Reichsfuehrer SS Field H.Q., the 10.7.1943

1.) Chief of units for combatting partisans.
2.) Higher SS and Police chiefs in the Ukraine.
3.) Higher SS and Police chiefs in Russia, Central Sector.

1. The Fuehrer has decided that the whole population has to be evacuated from partisan-ridden territories of the northern Ukraine and of the central Russian sector.

2. The whole male population fit for work will be directed to the Reich Commissar for the Employment of Labour according to regulations which are yet to be laid down, but under the conditions of PWs.

3. The female population will be directed to the Reich Commissar for the Employment of Labour for work in the Reich.

4. Part of the female population and all children who have no parents will be sent to our reception camps.

5. The evacuated territories are to be taken over and run by the Higher SS and Police chiefs—as much as possible in accordance with an arrangement still to be made with the Reich Minister of Food and with the Minister for the Occupied Eastern Territories; they are to be planted partly with Kok-Sagys and as far as possible agricultural use is to be made of them. The camps for children are to be established on the edge of these territories, in order that the children may be available as labour for the cultivation of Kok-Sagys and for agriculture.

Final proposals are to be submitted to me as soon as possible.

[signed] H. HIMMLER

4.) SS Obergruppenfuehrer Berger
5.) SS Obergruppenfuehrer Backe

True copy:
initialled: [illegible]

TRANSLATION OF DOCUMENT 034

[In pencil]IIc/5
Oranienburg, 21 February 1940.

The Reichsfuehrer SS
The Inspector of the Concentration Camps
File Ref. 14a 12/L/Ot.

To be Registered
[initalled] HH [Himmler]

Subject: Prison camps within the area of the Higher SS and Police Chiefs.
Ref: RF SS, Personal Staff, diary No. Top Secret/694/40 Wa/Kp. of 1.2.40.
Enclosures: — 3 —

To the Reichsfuhrer SS and Chief of the German Police
Berlin S.W.11

Copies to:
1) S.S. Gruppenfuehrer Pohl (with 9 enclosures)
2) S.S. Gruppenfuehrer Heydrich (no enclosures)

In the above mentioned decree, the Reichsfuehrer SS ordered that the following prison camps be inspected to determine their suitability as concentration camps:

1. Police prison in *Welzheim.*
2. Transit camp (Dulag) in *Kislau*
   (both in the area of the Higher SS and Police Chief South West)
3. *Frauenberg (nr. Admont) camp*
   (in the area of the Higher SS and Police Chief Alperland)
4. *Sosnowitz (East Upper Silesia)* camp.
5. *Auschwitz (Upper Silesia)* Camp
   (Both in the area of the Higher SS and Police Chief South East)

The inspection has been carried out. The result was as follows:

(1) Welzheim.

Welzheim is *not* a concentration camp but has since 1934 been a house prison of the Gestapo in Stuttgart, which it comes under. The designation "Concentration Camp" must have been given to it by mistake.

It is *unsuitable* for use as a concentration camp.

(2) Kislau.

Kislau is a prison camp of the Reich administrator of justice, supervised by the judiciary and directed by a prison director. It can take 600 prisoners. Up to the beginning of the present war, foreign legionnaires were also sent to the camp by the Karlsruhe Gestapo (against reimbursement of costs); at the moment there are still 7 legionnaires at Kislau. As a concentration camp existed near Kislau in 1933/34, the present judicial prison camp is still erroneously described as a "concentration camp."

Kislau, a former hunting lodge, is *unsuitable* for use as a concentration camp.

(3) Frauenberg (nr Admont).

Frauenberg is a *labour camp* set up by the provincial welfare union of Styria for shirkers and drunkards. It consists of five wooden huts and can take 300 prisoners.

The labour prisoners are exclusively Styrians who are paid for their work by the Provincial Welfare Union of Styria during their time in the camp (27-57 pfennig an hour, less food).

The SA (about 20 men) do the guarding. The labour prisoners are employed in two quarries and on building roads. Not far from the camp there is a stretch of moor of about 25–30 square kilometres (it is said to be up to 25 metres deep). The whole place is now state property: formerly it belonged to the Admont foundation.

In its present form and without big additions, Frauenberg is *unsuited* for use as a concentration camp.

(4) Sosnowitz in Upper Silesia.

Sosnowitz has only been set up provisionally as a temporary transit camp for emigrating Jews; at present it contains 300 Jews. The religious community of Sosnowitz sees to the feeding of these Jewish emigrants. The *factory room*, the floor of which has been covered with straw for this purpose, has no fittings of any sort, no water and no cooking facilities and can be used neither as a concentration camp nor as a quarantine camp.

(5) *Auschwitz in Upper Silesia.*

Auschwitz, a former Polish artillery barracks (stone and wooden buildings) is *suitable* as a quarantine camp after some sanitary and constructional shortcomings have been eliminated. A detailed report has been submitted to the Reichsfuehrer SS and Chief of the German Police, Gruppenfuehrer Pohl, Gruppenfuehrer Heydrich and the Reich doctor SS. The constructional and hygienic investigations which are still necessary in Auschwitz are being carried out at the moment. When the negotiations begun by the Chief of the Security Police aimed at getting the Wehrmacht to hand the camp over (as has already been reported, there is still a construction company in the camp) are terminated, I shall immediately get it going as a quarantine camp. I have already made the necessary preparations for this.

(6) Stutthof.

A detailed report has been submitted to the Reichsfuehrer SS regarding the taking over of the camp of Stutthof near Danzig as a State Concentration Camp. SS Gruppenfuehrer Pohl and SS

Gruppenfuehrer Heydrich have recommended that it be taken over.

I have submitted the data regarding the camps in the area of the Higher SS and Police Chiefs *Warthe* and *Rhine*, which I am not to inspect, to SS Gruppenfuehrer Pohl, with the request for his opinion as to whether he is interested in these camps. After looking through the reports, it seems to me that these camps do not come into question as concentration camps.

[Signed] Gluecks
SS Oberfuehrer.

[Rubber stamp]
Personal Staff, RFSS Enclosures
Received: 22 Feb 1940
Diary No. 732 top secret (initials)
To: Reichsfuehrer

TRANSLATION OF DOCUMENT 035

To the Reich Plenipotentiary for the Consolidation of German Folkdom, SS Himmler, Chief of the Police,
Berlin.
[Initialled] H.H. [H. Himmler]

I beg you to give your attention to the following statements. I have asked Professor Hoehm to hand this letter to you and have thus selected the direct path to you in order to avoid the slower official channels and to eliminate the possibility of an indiscretion, bearing in mind the enormous importance, under certain circumstances, of the idea submitted.

Prompted by the thought that the enemy must not only be conquered but exterminated, I feel obliged to submit the following to you as the Reich Plenipotentiary for the Consolidation of German Folkdom:

Dr. Madous is publishing the results of his research into *sterilization by medicaments* (I enclose both works). In reading this article, I was struck by the enormous importance of this medicament in the present struggle of our people. *Should it be possible to produce as soon as possible, as a result of this research, a medicament which, after a comparatively brief period, would cause an unnoticed sterilization in individuals, we would have at our disposal a new and very effective weapon.* The thought alone that the 3 million Bolsheviks now in German captivity could be sterilized, so that they would be available for work but precluded from propagation, opens up the most far-reaching perspectives.

Madous discovered that the juice of the plant Caladium Seguinum, taken orally or injected, produces after a certain time, particularly in the males of animals but also in the females, a lasting sterility. The illustrations which accompany the scientific work are convincing.

Provided that the idea expressed by me meets with your approval, the following path could be followed:

(1) Dr. Madous should not publish any more works of this kind (the enemy is listening too!).

(2) Propagation of the plant (easily raised in greenhouses!).

(3) Immediate experiments on humans (criminals!) in order to ascertain the dose and the duration of treatment.

(4) The quickest possible discovery of the formula of the composition of the effective chemical body in order to,

(5) produce the same synthetically if possible.

I myself, as a German doctor and a retired lieutenant of the reserve in the medical corps of the German Armed Forces, undertake complete silence on the use to which the subject raised by me in this letter is to be put.

Heil Hitler!
[Sgd.] Dr. Pokorny
Specialist on skin and venereal
diseases. University Dr. of Medicine.
Ad. Pokorny,
Komotau,
Graben 33.

Komotau, October 1941

TRANSLATION OF DOCUMENT 065

AFFIDAVIT OF OSWALD POHL

Medical Experiments
General

The Medical experiments were undertaken by order of Himmler. Representatives of the medical profession knowing how to describe to him a medical problem as one of the highest significance for science or having good friends who acted as intermediaries, could convince him easily. And that in spite of the fact that Himmler himself did not possess any more knowledge of medical science than the average educated layman. But he had enough opportunity to discuss such questions with the doctors of his staff and entourage and he probably did so (Grawitz, Gebbhardt, Brandt, Conti, u.s.)

Whenever he was interested in a matter he put all the help at his command to the disposal of the physicians, and always kept in personal contact with the project. He even informed himself personally of its progress. Whenever prisoners were put at disposal for an experiment, the orders usually went to the Inspektion. However, later on, they were sent also to me. But I do not believe it impossible that orders also were given directly to the camp commanders; otherwise, I should have had knowledge about more experiments as the ones described below.

When I intervened in 1944 against the transfer of prisoners for these purposes, with the explanation that they would be a loss to the work details, Himmler appointed Grawitz as his deputy in charge of operations of the experiments. From then on, he was in charge of the supervision and the reporting on all experiments which were ordered by Himmler. But Himmler's personal participation (Teilnahame) did not decrease.

Particulars

During the period of April 1942 to the end of 1944, when the Inspektion was a part of the W.V.H.A., I gained knowledge of the following experiments:

1. Schilling. These tasks are probably sufficiently known through the trial of Schilling. Schilling, whom I did not know previously, conducted me through his installations in Dachau during a visit and told me a few things about malaria and malarial mosquitos. I believe this was the biggest experiment. This also has caused my protest to Himmler, because Schilling always asked for prisoners. How many were finally transferred to him, I do not know.

2. Rascher. My attention was called to these experiments by Himmler's written orders to me. The prisoners were transferred to Dachau. There, the experiments also took place. Himmler, during a stay in Munich, took me along for a visit. We saw a cockpit [Flugzeugkanzel] in which a prisoner was seated. After this the cockpit was put under pressure. Rascher observed through a glass window. After that, the person on whom the experiment was performed was brought into Rascher's study where he asked him questions. At first these questions were answered in a dazed manner; until, after a certain period of time, full consciousness returned.

I did not see any other of Rascher's experiments. Neither did I select the prostitutes for his cooling experiments [Unterkeuhlversuche]. The prostitutes probably came from Ravensrueck.

3. Klauberg (or Glauberg). I made his acquaintance during supper at the Fuehrerheim Auschwitz. He was introduced to me

and I did not talk with him about his experiments. I was not present at the planning of the experiments, but I had already heard, through Gluecks, that Klauberg was interested in sterilization. I declined Klauberg's invitation to watch this experiment.

4. Sievers (Ahnenerbe). I heard about this for the first time subsequent to Sievers' visit to me in Berlin when the experiments, apparently, were concluded already, because he came to me in order to find out about a production possibility (equipment for manufacturing). I gave him the name of Deutsche Heilmittel GMBH in Prague, which belonged to the Deutschen Wirtschaftsbetrieben under the administration of Oberfuehrer Baier of my staff. I referred Sievers to him. The compound was subsequently produced in Schlachters (Schwarzweld).

Sievers told me the following: "The 'Ahnenerbe,' which was managed by Sievers, had developed, by order of Himmler, a compound which causes the blood to coagulate quickly. This was tremendously important for our combat troops, since it prevented fast bleeding. The experiments in Dachau, during which a prisoner was shot, had proved that. A prisoner at Dachau, who was an expert in this matter, had an important part in the discovery of the compound."

5. Heissmeyer. The Chief physician assigned to the hospitals at Hohenlychen received Himmler's permission to conduct experiments in the field of tuberculosis. I referred him to Gluecks, who put the necessary individuals for these experiments at his disposal. This concerns about ten orphans who probably came from Auschwitz. The experiments took place in Neuengamme. Later on, I saw a report for Himmler on these experiments, but its language was so scientific that I didn't understand it.

6. Madaus. Worked in Radebeul on a compound for sterilization for which he needed coladium [schweigrohr]. Since this plant grows predominantly in North America, I was ordered by Himmler to take care of its cultivation in Germany. Himmler probably then thought of the Division for Pharmaceutical herbs of the botanical garden in Dachau, which was under my jurisdiction. The contact with Madaus was initiated through the physician assigned to the Inspektion Lolling. Since Madaus, who was represented by Dr. Koch, believed Dachau unsuitable, he invited us to visit Radebeul and to begin the cultivation there. During the visit we were shown the site and we saw experiments performed on animals in the laboratory. I am not sure if these experiments were undertaken with coladium [schweigrohr], but I presume that. Since a hothouse was necessary for the cultivation of the plant, Dr. Koch asked for assistance in the procurement. I prom-

ised him to take this matter up with Himmler, who okayed it. Since all details were taken care of by Lolling from then on, I do not know to what extent the cultivation of the plant was successful, and if mass production of the compound was ever accomplished, and if experiments were ever undertaken on human beings.

7. Lost. I do not remember if these experiments were ever conducted at all, because other agencies were also utilized for such experiments; but, naturally, it is possible. I do not know if the I.G. Farben Plant at Dyrrenfurt, near Breslau, filled the bombs, which I have seen there, with a gas manufactured in Lost. Dr. Ambros had invited me to inspect this plant.

Conclusion

To the best of my ability I tried to depict what has remained in my memory. I did not have any direct knowledge of most of the experiments. The prisoners who were used for them appeared in Lolling's monthly report with one number and were distributed among 40 experiments. I had that determined in 1944 by Lolling; if I am not wrong, about 350 to 400 prisoners were detailed at that time. I also tried to decrease that number, mainly, I confess, in order to make the prisoners available for work details, and this caused Himmler's intervention as for instance, in the case of Schilling who then ordered the detail impersonally.

My personal sentiment concerning medical experiments on living human beings is the same as that of each civilized person. But, as a layman, I have not understood the extent and degree of danger of these experiments. Deep inside of me I resented Himmler's methods.

/s/ OSWALD POHL
Oswald Pohl

Sworn to and signed before me this 23rd of June 1946 in Nurnberg, Germany.

/s/ WALTER H. RAPP
Walter H. Rapp
U.S.Civ. D-416387

TRANSLATION OF DOCUMENT 085

The Ahnenerbe
The Reich-Secretary.

Berlin 9.2.42.
G/R/2 page 1.

To:
SS-Sturmbannfuehrer Dr. Brandt
Berlin SW 11
Prinz Albrecht-Str. 8.

[in ink] Secret

Dear Comrade Brandt:

"Prof. Dr. HIRT's report, which you requested in your letter of 29/12/41—Journal No. AR/493/37, is submitted in the enclosure. I was not able to send it to you before because Prof. HIRT took ill some time later. He was stricken by bleedings of the lung (diagnosis: "Cyst-lung")—at least it is not TB. In addition he was afflicted by a weakening of the systemic circulation. At the present time he is still in the hospital but hopes that the doctor will release him in the near future so that he will be able to resume his work, at least to a small extent. Because of this Prof. HIRT was merely able to write a preliminary report which, however, I should like to submit to you. The report concerns

(1) his research in the field of the *Intravitalmikroskopie* (microscoping living organs), the discovery of a new method of examination, and the construction of a new research microscope.

(2) his proposal for securing skulls of Jewish-Bolshevik Commissars."

Some special copies were enclosed as a supplement to the report (1) among which the two articles in the Zeiss-Nachriten No 10 (second series) and No 1–5 (third series) make possible the quickest orientation whereas the other publications are complicated individual scientific work.

Yours sincerely
Heil Hitler!
Yours
[signature illegible]

"SUBJECT: Securing skulls of Jewish-Bolshevik Commissars for the purpose of scientific research at the *Reichsuniversitaet* Strassburg.

We have a nearly complete collection of skulls of all races and peoples at our disposal. Of the Jewish race, however, only very few specimens of skulls are available with the result that it is impossible to arrive at precise conclusions from examining them. The war in the East now presents us with the opportunity to overcome this deficiency. By procuring the skulls of the Jewish-Bolshevik Commissars, who represent the prototype of the repulsive, but characteristic subhuman, we have the chance now to obtain a palpable, scientific document.

The best, practical method for obtaining and collecting this skull material could be handled by directing the Wehrmacht to turn over alive all captured Jewish-Bolshevik Commissars to the Feldpolizei (Field M.P.). The Feldpolizei in turn is to be given special directives to inform a certain office at regular intervals of the number and place of detention of these captured Jews and to give them special close attention and care until a special delegate arrives. This special delegate, who will be in charge of securing the material (a junior physician of the Wehrmacht or even the Feldpolizei or a student of medicine equipped with a motor car and driver), has the job of taking a series of previously established photographs, anthropological measurements, and in addition has to determine, so far as is possible, the background, date of birth, and other personal data of the prisoner. Following the subsequently induced death of the Jew, whose head should not be damaged, the delegate will separate the head from the body and will forward it to its proper point of destination in a hermetically sealed tin can, especially produced for this purpose and filled with a conserving fluid. Having arrived at the laboratory, the comparison tests and anatomical research on the skull, as well as determination of the race membership of pathological features of the skull form, the form and size of the brain, etc., can proceed. The basis of these studies will be the photos, measurements, and other data supplied on the head and finally the tests of the skull itself."

TRANSLATION OF DOCUMENT 086

The Reichs Secretary Berlin. 2 November 1942.

To:
SS Obersturmbannfuehrer Dr. Brandt
Berlin

SECRET

Dear Comrade BRANDT:

As you know, the Reichsfuehrer-SS has directed that SS-Hauptsturmfuehrer Prof. Dr. Hirt be supplied with everything needed for his experiments. For certain anthropological experiments—I already reported to the Reichsfuehrer-SS on them—150 skeletons of prisoners or Jews are required, which are to be supplied by the KL Auschwitz. The only thing that remains to be done is that the RSHA receive an official directive from the Reichsfuehrer-SS. This, however, can also be given by you, acting for the Reichsfuehrer-SS.

Kindest regards.

Heil Hitler
your SIEVERS

1 Encl. Draft of a letter to the RSHA.

"Ahnenerbe" Society
Institute for Military Scientific Research.
G/H/6 S2/He

21 June 1943.

Berlin-Dahlem,
Puecklerstrasse 16.

TOP SECRET
G.R.Z.I.A.H.Sk. No 10
5 copies. 2nd copy.
No enclosures.

To the RSHA.
Department IV B4
For the attention of SS-Obersturmbannfuehrer Eichmann,
Berlin SW 11
Prinz-Albrecht-Str. 8

Subject: Establishment of a Collection of skeletons.

Referring to your letter of 25 September 1942, IV B 4 3576/42 Secret 1488 and the personal conversations which have since taken place on this subject, I wish to inform you that our associate, SS-Hauptsturmfuehrer Dr. BEGER who was in charge of the above special project, concluded his experiments in the KL Auschwitz on 15.6.1943 because of the existing danger of epidemics.

Altogether 115 persons were experimented on. 79 were Jews, 30 were Jewesses, 2 were Poles, and 4 were Asiatics. At the present time these prisoners are segregated by sex and are under quarantine in two hospital buildings of KL Auschwitz.

For the further experimentation on these selected prisoners it will be necessary to have them transferred to the KL Natzweiler. This transfer should be made as speedily as possible because of the existing danger of an epidemic at Auschwitz. A list of the selected people is attached.

We request that the necessary directives be issued. Since this transfer of prisoners presents a certain amount of danger, such as spreading the epidemic to Natzweiler, we request that immune and clean prisoner suits for 80 men and 30 women be sent from Natzweiler to Auschwitz immediately. At the same time lodging should be prepared for the women at Natzweiler in the near future.

Sievers,
SS-Standartenfuehrer.

copies to:

(a) SS-H'Stuf. Dr. Beger,

(b) SS-H'Stuf. Prof. Dr. Hirt,

(c) SS-Obersturmbannfuehrer Dr. Brandt.

TRANSLATION OF DOCUMENT 088

The Reichsfuehrer-SS
Personal Staff
Department A

Waischenfeld/Ofr., 5.9.44.

Top Secret.

Teleprint

To
SS-Standartenfuehrer Ministerialrat Dr. Brandt
Personal Staff of the Reichsfuehrer-SS
Berlin

[Marginal notes in shorthand]

Re: Collection of Jewish Skeletons.

According to the proposal of 9/2/42 and your approval of 23/2/42 AR/493/37, Prof. Dr. Hirt has assembled the skeleton collection which was previously non-existent. Because of the vast amount of scientific research connected therewith, the job of reducing the corpses to skeletons has not yet been completed. Since it might require some time, Hirt requested 80 copies of the directives pertaining to the treatment of the collection stored in the morgue of the Anatomical Institute, in case Strassburg should be endangered.

The Collection can be de-fleshed and thereby rendered unidentifiable. This however, would mean that at least part of the whole work had been done for nothing and that this singular collection would be lost to science, since it would be impossible to make plaster casts afterwards. The skeleton collection as such is inconspicuous. The flesh parts could be declared as having been left by the French at the time we took over the Anatomical Institute and would be turned over for cremating. Please advise me which of the following three proposals is to be carried out:

1. The collection as a whole is to be preserved.
2. The collection is to be dissolved in part.
3. The collection is to be completely dissolved.

[Signed]
Sievers,
SS-Standartenfuehrer.

TRANSLATION OF DOCUMENT 089

The Reichsfuehrer-SS
Personal Staff
Diary No. 41/1/43 Secret.

Field Command Post 6.11.42.

SECRET

(1) To the RSHA
Department IV B4
For the attention of SS Obersturmbannfuehrer Eichmann
Berlin SW 11
Prinz-Albrecht-Str. 8

089

Re: Establishment of a collection of skeletons at the Anatomical Institute at Strassburg.

The Reichsfuehrer-SS has issued a directive to the effect that SS-Hauptsturmfuehrer Prof. Dr. Hirt, who is the director of the Anatomical Institute at Strassburg and the head of a department of the institute for Military Science Research in the Ahnenerbe Society, be furnished with everything he needs for his research work. By order of the Reichsfuehrer-SS, therefore, I ask you to make possible the establishment of the planned collection. SS-Obersturmbannfuehrer Sievers will get in touch with you with regard to straightening out the details.

By order
[signed] Brandt
SS-Obersturmbannfuehrer

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2. To the "Ahnenerbe" Society
Berlin-Dahlem
Puecklerstrasse 16

Berlin, 27 November 1942.

Copy sent with request that cognizance be taken thereof. I refer to your letter of 2.11.42.

By order
[signature illegible]
SS-Obersturmfuehrer.
[in pencil] 27.11
[in pencil] M

TRANSLATION OF DOCUMENT 091

[Marginal notes in shorthand]

Note:

On 12.10.1944, I had a telephone conversation with SS-Standartenfuehrer Sievers and asked him if the Strassburg Skeleton collection had been completely dissolved, as directed by SS-Standartenfuehrer Baumert. SS-Standartenfuehrer Sievers could not advise me on that matter, since he had not as yet heard anything further from Prof. Hirt. I told him that in case the dissolution had not yet been carried out, a certain part of the collection should be preserved. However, guarantee should be given that a complete dissolution could be made in time in case the military situation should endanger Strassburg. SS-Standartenfuehrer Sievers promised me that he would find out about it and let me know.

[signed] Berg.
SS. Hauptsturmfuehrer.

15.10.1944
Bg/HM

Note for SS-Standardtenfuehrer Dr. Brandt.

During his visit at the Operational HQ on 21.10.1944, SS-Standartenfuehrer Sievers told me that the collection in Strassburg had been completely dissolved in the meantime in conformance with the directive given him at the time. He is of the opinion that this arrangement is for the best in view of the whole situation.

[signed] Berg
SS-Hauptsturmfuehrer.

26.10.1944,
Bg/HM

TRANSLATION OF DOCUMENT 092

Field Command Post,
3 December 42

Reichsfuehrer-SS
Personal Staff
Diary No. 41/7/43
Bra/Dr.

To

SECRET

SS-Standartenfuehrer Sievers
The Ahnenerbe Society
Berlin-Dahlem
Puecklerstrasse 16

Dear Comrade Sievers:

I have your note of 3.11.1942 again in front of me today.

At the time I could only speak to SS-Obergruppenfuehrer Pohl very shortly. If I remember correctly, he even sent me a letter informing me that he would have the deficiencies which you described taken care of, but I did not have time to enumerate them in detail. I had just received your letter the same morning on which I went to see SS-Obergruppenfuehrer Pohl. Therefore, it was impossible for me to read it over beforehand. I only remembered what you had told me during our last conversation. If it should be necessary for me to take this matter up again, will you please let me know.

Heil Hitler!
[signed] Brandt.
SS-Obersturmbannfuehrer.

TRANSLATION OF DOCUMENT 116

The Reichsfuehrer-SS
Personal Staff
Log. No. 41/1/43g

Secret
Command Post, 6 November 42

1. To
Main Office for the Security of the Reich
— Office IV B 4 —
Attention: SS-Lt Colonel [Obersturmbannfuehrer]
EICHMANN
Berlin SW 11
Prinz-Albrecht-Str. 8

Subject: Organization of a skeleton collection in the anatomical institute of Strassburg.

The Reichsfuehrer-SS has ordered that everything necessary for the research work of SS-Captain [Hauptsturmfuehrer] Prof. Dr. HIRT, who is at the same time director of a branch of the institute for Military Scientific Researches for Specific Purposes in the Office "Ahnenerbe" [Ancestry Research based on racial theory] should be placed at his disposal. By order of the Reichsfuehrer-SS, I therefore request you, to make the organization of the planned skeleton collection possible. The SS-Lt Colonel [Obersturmbannfuehrer] SIEVERS will contact you for details.

/s/ BRANDT
SS-Lt Col [Obersturmbannfuehrer]

COPY OF AFFIDAVIT K

CROSS-AFFIDAVIT OF DR. RUDOLF MILDNER

I, the undersigned Dr. Rudolf Mildner, made the following affidavit in answer to cross interrogations by representatives of the Office of United States Chief of Counsel relating to my affidavit of 29 March 1946, made in response to questions by Dr. Kaufmann for presentation to the International Military Tribunal:

Question No. 1: Confirm or correct the following biographical data:

Answer: December 1939, I became Chief of the Gestapo Office in Chemnitz.
In March 1941, I became Chief of the Gestapo Office in Kattowitz.
In September 1943, I became Commander of the SIPO and SD in Copenhagen.
In January 1944, I became Inspector of the SIPO and SD in Kassel.

On 15 March 1944, I was made Deputy Chief of Groups IV A and IV B of the RSHA.

In December 1944, I became Commander of the SIPO in Vienna.

In December 1944, I became Deputy Inspector of the SIPO in Vienna.

All of these appointments after January 1943 were made by Kaltenbrunner as Chief of the Security Police and SD.

Question No. 2: Is it not true that while you were Gestapo leader at Kattowitz you frequently sent prisoners to Auschwitz for imprisonment or execution; that you had contacts with the Political Department (Abteilung) at Auschwitz during the time you were Chief of the Gestapo at Kattowitz with regard to inmates sent from the district of Kattowitz; that you visited Auschwitz on several occasions; that the Gestapo "SS Standgericht" frequently met within Auschwitz and you sometimes attended the trial of prisoners; that in 1942 and again in 1943, pursuant to orders by Gruppenfuehrer Mueller, Chief of Gestapo, the Commandant of Auschwitz showed you the extermination plants; that you were acquainted with the extermination plants at Auschwitz since you had to send Jews from your territory to Auschwitz for execution.

Answer: Yes, these are true statements of fact.

Question No. 3: With respect to your answer to Question No. 5 in your affidavit of 29 March 1946, did all orders for arrest, commitment to, punishment and individual executions in concentration camps come from RSHA? Was the regular channel for orders of individual executions from Himmler through Kaltenbrunner to Mueller, then to the concentration camp commandant. Did WVHA have supervision of all concentration camps for administration, utilization of labor, and maintenance of discipline?

Answer: The answer is yes to each of the three questions.

Question No. 3 a: Is it true that conferences took place between SS Obergruppenfuehrer Kaltenbrunner and SS Obergruppenfuehrer Pohl, Chief of the WVHA, and Chief of Concentration Camps? Was Dr. Kaltenbrunner acquainted with conditions in concentration camps?

Answer: Yes and because of these conferences and on the occasion of discussion with the two Amt Chiefs, Gruppenfuehrer Mueller IV and Gruppenfuehrer Nebe, RSHA, the Chief of SIPO and SD, SS-Obergruppenfuehrer Dr. Kaltenbrunner should be acquainted with conditions in concentration camps.

I learned from SS-Gruppenfuehrer Mueller, Chief of Amt IV, that regular conferences took place between RSHA and Amt Group D of WVHA.

Question No. 4: It is not a fact that in July or August of 1944, an order was issued to commanders and inspectors of the SIPO and SD by Himmler, through Kaltenbrunner as Chief of the SIPO and SD, to the effect that members of all Anglo-American Commando Groups should be turned over to the SIPO by the armed forces; that the SIPO was to interrogate these men and shoot them after questioning; that the killing was to be made known to the armed forces by a communique stating that the commando group had been annihilated in battle; and that this decree was classified Top Secret and was to be destroyed immediately after reading?

Answer: Yes.

Question No. 5: With respect to your answer to Question No. 7 of your affidavit of 29 March 1946, is it not a fact that:

(a) After you sent a telegram to Mueller requesting that the Jewish Persecution be stopped you received an order by Himmler that the Jewish actions were to be carried out;

(b) That you then flew to Berlin for the purpose of talking with the Chief of the SIPO and SD, Kaltenbrunner, personally, but that since he was absent you saw his deputy, Mueller, head of Office IV, of the RSHA, who, in your presence, wrote a message to Himmler containing your request that the persecutions of the Jews in Denmark be stopped?

(c) That shortly after your return to Copenhagen you received a direct order by Himmler sent through Kaltenbrunner as Chief of the SIPO and SD, stating that "The Anti-Jewish actions are to be started immediately."

(d) That for the purpose of carrying out this action the "Special Commando Eichmann," which was under the Gestapo, was sent from Berlin to Copenhagen for the purpose of deporting the Jews in two ships which it had chartered.

Answer: Yes, to each question a, b, c, and d.

Question No. 6: Is it not a fact that the action of "Special Commando Eichmann" was not a success; that Mueller ordered you to make a report explaining the cause for the lack of success in deporting of Jews; and that you sent this report directly to the Chief of the SIPO and SD, Kaltenbrunner?

Answer: Yes, that is right.

I have read the above questions and answers as written and swear that the statements are true and correct. This affidavit is signed by me voluntarily and without any compulsion at Nurnberg, Germany, 9 April 1946.

s/ R. Mildner
t/ Dr. Rudolf Mildner.

Subscribed to and sworn before me this 9th day of April 1946.

s/ Smith W. Brookhart Jr.
t/ Smith W. Brookhart Jr.
Lt. Colonel, IGD

TRANSLATION OF AFFIDAVIT L

CROSS-AFFIDAVIT OF WILHELM HOETTL

I, the undersigned, Dr. Wilhelm Hoettl, make the following affidavit in response to cross-interrogation relating to an affidavit executed by me on 30 March 1946 answering questions put by Dr. Kaufmann for presentation to the International Military Tribunal.

1. With respect to question No. 3., please give the following information:

a. Explain the basis of your statement that when persons belonging to the SD were transferred to Einsatz Kommandos of the SIPO and SD, they resigned from the SD; your attention is invited to the fact that Ohlendorf, the head of the SD, has testified to the contrary.

b. Explain the basis for your statement that Einsatz Kommandos had nothing to do with executions. Your attention is invited to the fact that your testimony in this regard is likewise in direct conflict with the head of the SD, Ohlendorf.

c. What was Hitler's so-called "Commissar-order" and when did you first acquire knowledge of this order?

With respect to 1a: In my affidavit I did not speak of a permanent separation from the SD but of a leave of absence for the time of activity with an Einsatzkommando. By that was meant that they did not exercise their SD functions during this time but that this function was inactive.

With respect to 1b: My affidavit appears to have been misunderstood concerning this point. I did not state that Einsatzkommandos had nothing to do with executions but only that not all Einsatzkommandos were concerned with executions. I mentioned as an example the Einsatzkommandos in Africa, Hungary, Slovakia. In connection with that, I said that these Einsatzkommandos had nothing to do with executions; by that I meant not directly with the actual executions [Note: with the actual killing].

With respect to 1c: I, myself, do not know the so-called "Commissar Order" of Hitler. Dr. Stahlecker, who commanded an Einsatzgruppe of the SIPO and the SD in Russia, told me in Summer of 1942 that the executions of Commissars and Jews were carried out because of the "Commissar Order" wherein the extermination of the Jews, as the bearers of Bolshevism, was established.

2. With respect to Question 4, is it not a fact that Heydrich, as Chief of SIPO and SD, gave the initial instructions to Eichmann concerning the extermination of Jews, that in the RSHA, Eichmann's immediate superior was Mueller, Chief of the Gestapo; that Mueller was first the deputy of Heydrich and later of Kaltenbrunner?

With respect to 2: Yes, I heard from Eichmann, probably in August 1944, that Heydrich had given him these directives.

It is also correct that Mueller, Chief of the Gestapo, was Eichmann's immediate superior. As far as I know, Mueller was the deputy of Heydrich and later of Kaltenbrunner only on the sector of the Gestapo, as likewise were the other AMT Chiefs of their sectors.

3. With respect to Question 5, is it not a fact that you know from your discussions with Kaltenbrunner and with Eichmann that they came from the same community in Austria and were exceptionally close friends; that Eichmann always had direct access to Kaltenbrunner and that they frequently conferred together; that Kaltenbrunner was well pleased with the manner in which Eichmann carried out his duties; that Kaltenbrunner was very interested in the extermination work performed by Eichmann, that you personally know that Kaltenbrunner went to Hungary for the purpose of discussing the extermination program in Hungary with officials of the Hungarian Government and with Eichmann and other members of his staff in Hungary? Please confirm or correct these statements and make any statement necessary to clarify your answer.

With respect to 3: I heard from Eichmann that he knew Kaltenbrunner from Linz and that they served together in 1932 in an SS Sturm [Company] there. I do not know that they were extraordinarily close friends or that Eichmann always had direct access to Kaltenbrunner and that they conferred frequently.

I do not know the details about their official relationship. I do not know whether Kaltenbrunner also had conferences concerning the program of extermination of Jews in Hungary during his stays in Hungary in Spring of 1944. Winkelmann, the former Higher SS and Police Leader in Hungary, must know exactly about that, since, according to my knowledge, he visited the persons of the Hungarian Government together with Kaltenbrunner.

4. With respect to Question 6:

a. Is it not known to you that Mueller, Chief of the Gestapo, always conferred with Kaltenbrunner on matters of importance relating to the functions of his office, particularly with respect to executions of special inmates?

b. Did you know that Kaltenbrunner was the Higher SS and Police Leader and State Secretary for Security in Austria after the Anschluss until his appointment as Chief of the RSHA, a period of five years, and during which time his attention was devoted exclusively to Police and Security matters?

c. What is the basis of your statement that the intelligence service took up the main part of Kaltenbrunner's attention and all his interest?

With respect to 4a: Details concerning the official relationship between Mueller and Kaltenbrunner are not known to me. However, I could note on several occasions that Mueller was with Kaltenbrunner to report about the work of his department.

With respect to 4b: Kaltenbrunner was not exclusively occupied with police and security matters during his activity as Higher SS and Police Leader in Austria or as State Secretary for Security respectively. Without a doubt he had political interests besides, since the Higher SS and Police Leaders were the representatives of Reichsfuehrer SS Himmler in all matters.

With respect to 4c: I could note that by virtue of my official relationship with him, members of other departments also frequently expressed themselves in the direction that he favored and furthered AMT III, and particularly AMT VI and MIL.

5. With respect to Question 7, answer the following:

a. What did you personally have to do with concentration camps and what, therefore, is the basis for your answer to this question?

b. Did you know that all orders for commitments to, release from, and executions in concentration camps came from the RSHA?

c. Did you know that the RSHA gave direct orders to commandants of concentration camps; state any such orders of which you have personal knowledge.

d. What are the atrocities committed in concentration camps to which you refer in your answer to this question, and when and in what manner did you acquire knowledge that atrocities were committed in concentration camps?

With respect to 5a: Personally, I had nothing at all to do with concentration camps. However, I liberated a number of persons from concentration camps, and, therefore, know the difficulties that were made by the concentration camp staffs who always called attention to orders of the WVHA of the SS in such cases since the inmates were needed for the armament industry.

With respect to 5b: It is known to me that orders for commitments into concentration camps and discharges therefrom came from the RSHA. I did not know that all such orders came from the RSHA. I have no knowledge of orders for executions by the RSHA.

With respect to 5c: I do not know any details and do not know personally any orders concerning this. In the cases in which I intervened for discharges I addressed myself either to Kaltenbrunner directly or to AMT IV. When the processing was of long duration, I received the answer several times from officials of AMT IV that difficulties had come about through the WVHA of the SS.

With respect to 5d: When Hungary was occupied by German troops in March 1944, several of my Hungarian acquaintances went to concentration camps. After I had achieved their liberation, they told me of bad treatment and atrocities in Mauthausen Concentration Camp. At that time, I sent an official communication concerning this to the Director of the Linz Gestapo Office with the request to inquire into this matter with the concentration camp commandant Ziereis. Ziereis, however, denied this as I was informed in the reply. In August 1944, Eichmann told me that there were also extermination camps besides concentration camps.

6. With respect to Question 9: What is the basis for your opinion that Kaltenbrunner opposed Hitler and Himmler on the program for the physical extermination of European Jewry?

With respect to 6: Kaltenbrunner told me after his conferences with representatives of the International Red Cross in March 1945 that he was against Hitler's and Himmler's program in the question of the extermination of the European Jews. In my response to question 9 that Kaltenbrunner had given no orders for killing of Jews, the words "According to my knowledge" are missing.

7. With respect to Question 11, who was the American that told Kaltenbrunner you had contacted in a neutral country in 1943? Did Kaltenbrunner agree to travel to Switzerland with you to meet the representative of the Allied Powers with whom you were in touch through the Austrian Resistance Movement, and, if so, when?

With respect to 7: The American liaison man in 1943 was a member of the USA Legation in Lisbon. I am no longer familiar with his name. The connection to an American organization through the Austrian Resistance Movement existed only with the coming of Fall 1944. Kaltenbrunner's acquiescence to travel there was given me about 20 April 1945.

8. With respect to Question 12, on what date did Kaltenbrunner order the Commandant of Mauthausen Concentration Camp to hand over the camp to approaching troops and at whose insistence did Kaltenbrunner issue this order and for what reason?

With respect to 8: I cannot state the exact date of Kaltenbrunner's order to the Commandant of Mauthausen Concentration Camp to hand over the camp to the approaching troops. It should have been during the last days of April 1945. It is not known to me at whose insistence and for which reason he gave this order; possibly this was connected with his discussions with SS Standartenfuehrer Becher whom I met with him at the time.

Above statements are true; I made this declaration voluntarily and without compulsion; I signed this statement after reading it and executed it in Nurnberg, Germany, on the 10th day of April 1946.

s/ Dr. Wilhelm Hoettl
t/ Dr. Wilhelm Hoettl

Subscribed and sworn to before me this 10th day of April 1946, at Nurnberg, Germany.

s/ Smith W. Brookhart, Jr.
t/ Smith W. Brookhart, Jr.,
Lt. Col. IGD

EXCERPTS FROM INTERROGATION OF GENERAL VON BLOMBERG

Q. At that time, the frame of the planned Wehrmacht was about fulfilled.

A. When?

Q. 1937.

A. I believe it was 1937.

Q. Was that a plan that had been discussed with Dr. Schacht in connection with the finances establishing how big the Wehrmacht would be?

A. Yes. The plan for the formation of the Wehrmacht Schacht knew very well since we gave him every year the setting up of how many formations for which we had been spending money. All new formations for which we had been spending money. I remember in the year 1937 it was discussed, what should the Wehrmacht get for carrying expenses? After, a great amount was spent to build it up.

Q. That means that you gave Schacht a clear statement of how much money you were putting into the creation of new instruments and so forth, and how much you were using for the operating expenses of the Wehrmacht?

A. Exactly right.

Q. When you say that by 1937 the plan had been fulfilled, do you mean in the main?

A. In the main.

Q. When you say that Schacht was familiar with these figures, how were they brought to his attention?

A. The demands that they made were handed to Schacht in writing.

Q. That means, in connection with the monies which Schacht was arranging for the rearmament program, he was informed of how many divisions and how many tanks would be procured through these monies?

A. I don't think we put down the amount of money we needed for tanks and so forth, but we put down how certain parts of the Wehrmacht like the Navy and the Air force needed and then how much this required for activation and how much for operating. That is, Dr. Schacht could see each year how much of an increase there would be in the size of the armed forces as a result of the money he was procuring. That is certain.

LIST OF EXHIBIT NUMBERS ASSIGNED BY THE INTERNATIONAL MILITARY TRIBUNAL TO DOCUMENTS PRESENTED BY THE UNITED STATES

Exhibit No.	Document No.
USA 1	001–A–PS
2	2903–PS (Chart No. 1)
3	2905–PS Chart No. 18)
4	2836–PS
5	2829–PS
6	2851–PS
7	2979–PS
8	2978–PS
9	2975–PS
10	2977–PS
11	3021–PS
12	2887–PS
13	2888–PS
14	2973–PS
15	2974–PS
16	2865–PS
17	2910–PS
18	2980–PS
19	2972–PS
20	2976–PS
21	Chart No. 2
22	2833–PS (Chart—not able to be reproduced)
23	789–PS
24	2261–PS
25	386–PS
26	388–PS
27	L–79
28	L–3 (Referred to but not offered in evidence)
29	798–PS
30	1014–PS
31	446–PS
32	2718–PS
33	1881–PS
34	L–172
35	2353–PS
36	2194–PS
37	1168–PS
38	2288–PS
39	2322–PS
40	1143–PS
41	C–156
42	C–17
43	C–153
44	C–189
45	C–190
46	C–29
47	C–141
48	C–166
49	C–23

Exhibit No.	Document No.
50	C 32
51	C–140
52	2292–PS
53	C–139
54	C–159
55	C–194
56	2289–PS
57	1760–PS
58	2832–PS EC–461
59	L–273
60	2968–PS
61	812–PS
62	2219–PS
63	2248–PS
64	2247–PS
65	L–150
66	2294–PS (Objection to admission in evidence upheld)
67	2246–PS
68	2385–PS
69	C–175
70	L–151
71	1544–PS
72	1780–PS
73	1775–PS
74	C–102
75	C–103
76	2949–PS
77	C–182
78	L–292
79	2430–PS (Narrative to film "Nazi Concentration Camps")
80	3047–PS (Referred to but not offered in evidence)
81	2786–PS
82	R–150
83	1536–PS
84	375–PS
85	2800–PS
86	2791–PS
87	2792–PS
88	2796–PS
89	2797–PS
90	C–2
91	998–PS
92	2863–PS (Referred to but not offered in evidence)
93	3060–PS
94	2789–PS
95	2788–PS
96	3059–PS
97	2858–PS

Exhibit No.	Document No.	Exhibit No.	Document No.
98	2855–PS	123	1301–PS
99	2854–PS	124	R–133
100	2853–PS	125	1874–PS
101	2856–PS	126	3061–PS
102	3036–PS (Objection to admission in evidence upheld)	127	3045–PS
		128	3287–PS
		129	1834–PS
103	3029–PS (Rejected as evidence)	130	1229–PS
		131	1799–PS
104	C–136	132	C–35
105	C–138	133	C–33
106	2795–PS	134	872–PS
107	2859–PS	135	447–PS
108	2794–PS	136	C–170
109	2801–PS	137	873–PS
110	2790–PS	138	C–39
111	2826–PS	139	C–78
112	D–571	140	1317–PS
113	D–572	141	1157–PS
114	2943–PS	142	1017–PS
115	2816–PS	143	865–PS
116	2815–PS	144	1030–PS
117	2802–PS	145	1029–PS
118	2798–PS	146	1039–PS
119	2860–PS; 2861–PS	147	1058–PS
120	2793–PS	148	1456–PS
121	R–100	149	2643–PS
122	2862–PS	150	2195–PS

Exhibit No.	Document No.
151	C–75
152	1877–PS
153	1882–PS
154	1538–PS
155	2896–PS
156	2897–PS
157	2911–PS
158	2954–PS
159	2929–PS
160	R–140
161	376–PS
162	C–74
163	2898–PS
164	2507–PS
165	2932–PS
166	2987–PS
167	3054–PS
168	016–PS
169	1130–PS
170	1919–PS
171	031–PS
172	1375–PS
173	2233–A–PS; 2233–K–PS; 2233–M–PS; 2233–O–PS
174	2233–B–PS
175	2220–PS
176	1352–PS
177	L–61
178	1526–PS
179	R–124
180	017–PS
181	019–PS
182	204–PS
183	2280–PS
184	3010–PS
185	294–PS
186	018–PS
187	3719–PS (Referred to but not offered in evidence)
188	254–PS
189	290–PS
190	3012–PS
191	265–PS
192	3000–PS
193	1702–PS
194	556–2–PS; 556–13–PS
195	1726–PS
196	3003–PS
197	2520–PS
198	054–PS
199	084–PS
200	2241–PS
201	D–316
202	D–288
203	(No. not used)

Exhibit No.	Document No.
204	R-103
205	EC-68
206	1723-PS; 1903-PS; 3044-PS; 3352-PS
207	3040-PS
208	1666-PS
209	407-V & VI-PS
210	407-VIII-PS
211	3027-PS (Photographs of Russian POWs handling munitions)
212	3028-PS (Photographs of Russian POWs handling munitions)
213	3005-PS
214	EC-194
215	1206-PS
216	1435-PS
217	R-129
218	654-PS
219	1063-D-PS
220	3720-PS
221	1584-I-PS
222	L-159
223	(No. not used)
224	3722-PS
225	1292-PS
226	407-II-PS
227	1913-PS
228	407-V & VI-PS
229	407-IX-PS
230	3721-PS
231	L-191
232	2499-PS
233	2324-PS
234	L-83
235	2513-PS
236	D-84
237	2330-PS
238	2334-PS
239	2928-PS
240	3051-PS
241	R-91
242	2605-PS
243	L-215
244	1165-PS
245	2309-PS
246	1650-PS
247	778-PS
248	1531-PS
249	2176-PS
250	495-PS (Death Book—Prisoners of War)
251	493-PS (Death Book—Prisoners of War)

Exhibit No.	Document No.
252	3420–PS 3423–PS
253	3421–PS
254	3422–PS (Shrunken human head)
255	1708–PS 2164–PS
256	2662–PS 2760–PS
257	1778–PS
258	2699–PS
259	2697–PS
260	2698–PS
261	1816–PS
262	2409–PS
263	2156–PS
264	(No. not used)
265	2709–PS
266	1724–PS
267	2711–PS
268	2663–PS
269	2668–PS
270	2665–PS
271	2233–C–PS
272	212–PS
273	1028–PS
274	3048–PS
275	1061–PS
276	L–180
277	L–18
278	1024–PS
279	1472–PS
280	3052–PS (Strip of 8–mm film)
281	2233–D–PS
282	001–PS
283	2233–E–PS
284	1138–PS
285	1347–PS
286	1689–PS
287	L–165
288	501–PS
289	R–135
290	3257–PS
291	L–53
292	L–161
293	3311–PS
294	L–22
295	2233–F–PS; 2233–BB–PS
296	2738–PS
297	EC–344–16 & 17
298	EC–410
299	EC–411
300	661–PS
301	2749–PS
302	2233–G–PS
303	EC–305

Exhibit No.	Document No.
304	1918–PS
305	686–PS
306	2915–PS
307	2916–PS
308	L–70
309	R–112
310	910–PS
311	2233–H–PS
312	R–92
313	862–PS
314	R–114
315	EC–472
316	EC–126
317	L–221
318	EC–3
319	1997–PS
320	EC–347
321	EC–454
322	EC–453
323	1893–PS; 2640–PS; 3220–PS
324	1708–PS; 2473–PS
325	2660–PS; 2958–PS; 3230–PS
326	392–PS
327	2474–PS
328	1814–PS
329	057–PS
330	2775–PS
331	2715–PS
332	3063–PS
333	R–110
334	1676–PS
335	L–154
336	1914–PS
337	2283–PS
338	327–PS
339	656–PS
340	347–PS
341	(No. not used)
342	630–PS
343	(No. not used)
344	(No. not used)
345	(No. not used)
346	L–316
347	(No. not used)
348	D–75
349	070–PS
350	098–PS
351	107–PS
352	2349–PS; 3553–PS
353	848–PS
354	849–PS
355	840–PS
356	3268–PS
357	072–PS
358	R–101–A; R–101–C; R–101–D

Exhibit No.	Document No.	Exhibit No.	Document No.
359	064–PS	387	015–PS
360	089–PS	388	2522–PS (39 volumes of photographs of looted works of art)
361	101–PS		
362	122–PS		
363	(No. not used)	389	351–PS
364	2224–PS	390	EC–177
365	1678–PS; 3529–PS	391	2999–PS
366	(No. not used)	392	1701–PS
367	136–PS	393	1141–PS
368	141–PS	394	(No. not used)
369	149–PS	395	2852–PS
370	154–PS	396	2380–PS
371	071–PS	397	(No. not used)
372	090–PS	398	(No. not used)
373	(No. not used)	399	2959–PS
374	(No. not used)	400	(No. not used)
375	3042–PS	401	2964–PS
376	1773–PS	402	1534–PS
377	1233–PS	403	D–138
378	1709–PS	404	D–139
379	137–PS	405	D–140
380	159–PS	406	2960–PS
381	153–PS	407	(No. not used)
382	158–PS	408	(No. not used)
383	171–PS	409	2986–PS
384	1117–PS	410	2383–PS; 3348–PS
385	1015–I–PS	411	2168–PS
386	L–188	412	2407–PS; 1857–PS

Exhibit No.	Document No.
413	2471–PS
414	3050–PS
415	3050–PS
416	3050–PS
417	3050–PS
418	3050–PS
419	3211–PS
420	1759–PS
421	787–PS
422	3221–PS
423	2824–PS
424	3252–PS; 3259–PS
425	1721–PS
426	3215–PS
427	2820–PS
428	D–44
429	2823–PS
430	2354–PS; 2401–PS
431	2821–PS
432	3214–PS
433	3219–PS
434	3216–PS
435	3232–PS
436	(No. not used)
437	1856–PS; 3441–PS; 3460–PS
438	2284–PS
439	1992–A–PS
440	1851–PS
441	2825–PS
442	2769–PS
443	647–PS
444	2163–PS
445	Chart No. 3
446	3429–PS
447	2768–PS
448	2950–PS
449	1852–PS (Chart No. 16)
450	641–PS
451	642–PS
452	644–PS
453	645–PS
454	1602–PS
455	744–PS
456	058–PS
457	1584–III–PS
458	1166–PS
459	1933–PS
460	2189–PS
461	2199–PS
462	1582–PS
463	343–PS
464	1618–PS
465	1583–PS
466	1617–PS
467	L–103

Exhibit No.	Document No.
468	1751-PS
469	002-PS
470	R-102
471	1972-PS
472	2997-PS
473	L-49
474	(Directory of SS Organization as of 1 Dec. 36)
475	(Directory of SS Organization as of 1 Dec. 37)
476	2381-PS
477	1680-PS
478	L-361
479	L 219
480	2346-PS (Chart No. 19)
481	R-142
482	2751-PS
483	1104-PS
484	L-185
485	2348-PS
486	502-PS
487	2273-PS (Chart No. 4)
488	3033-PS
489	2542-PS
490	2285-PS
491	1514-PS
492	1063-A-PS; 1063-B-PS
493	Chart No. 5
494	2992-PS
495	L-358
496	L-41
497	701-PS
498	1573-PS
499	3360-PS
500	553-PS
501	498-PS
502	526-PS
503	L-90
504	668-PS
505	674-PS
506	L-37
507	L-89
508	3058-PS
509	710-PS
510	1815-PS
511	2938-PS
512	3427-PS
513	2939-PS
514	L-158
515	2753-PS
516	2641-PS
517	L-38
518	2477-PS
519	2745-PS

Exhibit No.	Document No.	Exhibit No.	Document No.
520	2239–PS	548	2610–PS
521	L–51	549	506–PS
522	D–473	550	531–PS
523	2582–PS	551	551–PS
524	2580–PS	552	1279–PS
525	1276–PS	553	537–PS
526	2990–PS	554	C–50
527	835–PS	555	C–148
528	3462–PS	556	D–411
529	3723–PS	557	3710–PS
530	2519–PS	558	3711–PS
531	3702–PS	559	3713–PS
532	3703–PS	560	3714–PS
533	3707–PS	561	1786–PS
534	3708–PS	562	3715–PS
535	3705–PS	563	3716–PS
536	3704–PS	564	3717–PS
537	3706–PS	565	3718–PS
538	C–142	566	3387–PS 3389–PS
539	2327–PS	567	3280–PS
540	L–52	568	3261–PS
541	L–323	569	3278–PS
542	503–PS	570	3274–PS
543	C–179	571	3263–PS
544	C–178	572	3264–PS
545	508–PS	573	3266–PS
546	512–PS	574	3279–PS
547	509–PS	575	3568–PS

Exhibit No.	Document No.
576	3442–PS
577	2827–PS; 3552–PS
578	2962–PS
579	EC–408
580	3474–PS
581	3473–PS
582	3472–PS
583	3471–PS
584	(No. not used)
585	1183–PS
586	(No. not used)
587	1743–PS
588	3458–PS
589	069–PS
590	1208–PS
591	2886–PS
592	3557–PS
593	3530–PS
594	2777–PS
595	2889–PS
596	2433–PS
597	3531–PS
598	3532–PS
599	3528–PS
600	3559–PS
601	3554–PS
602	2319–PS
603	003–PS
604	1199–PS
605	1056–PS
606	199–PS
607	2233–S–PS; 2233–T–PS; 2233–W–PS; 2233–X–PS
608	2233–R–PS
609	864–PS
610	437–PS
611	2233–P–PS
612	2233–Z–PS
613	2233–AA–PS
614	2233–N–PS; 3465–PS
615	3725–PS
616	3729–PS
617	EC–460
618	EC–439
619	EC–457
620	EC–436
621	EC–419
622	EC–611
623	EC–128
624	EC–437
625	EC–258
626	EC–451
627	EC–415
628	3726–PS
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630	L–111	658	(No. not used)
631	EC–369	659	3545–PS
632	EC–297–A	660	3544–PS
633	3727–PS	661	3324–PS
634	EC–458	662	3562–PS
635	EC–416	663	3249–PS
636	3728–PS	664	3590–PS
637	EC–243	665	3302–PS
638	EC–376	666	3349–PS; 3464–PS
639	EC–420	667	1458–PS
640	EC–383	668	2229–PS
641	EC–244	669	2653–PS
642	EC–493	670	3459–PS
643	EC–494	671	L–360–H
644	L–104	672	130–PS (Withdrawn from evidence)
645	EC–421		
646	EC–438	673	2396–PS
647	3731–PS	674	2567–PS
648	3730–PS	675	2654–PS
649	EC–398	676	2454–PS
650	EC–397	677	2398–PS
651	3533–PS	678	R–146
652	3563–PS	679	2441–PS
653	3505–PS	680	1948–PS
654	2828–PS	681	1950–PS
655	(No. not used)	682	3355–PS
656	2963–PS	683	113–PS
657	3501–PS	684	838–PS

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685	116–PS	713	1643–PS
686	123–PS	714	2608–PS
687	131–PS	715	621–PS
688	099–PS	716	1556–PS
689	066–PS	717	615–PS
690	1600–PS	718	3592–PS
691	100–PS	719	(No. not used)
692	061–PS	720	3589–PS
693	232–PS	721	3469–PS
694	D–163	722	2434–PS
695	228–PS	723	3064–PS
696	062–PS	724	3255–PS
697	D–226	725	047–PS
698	025–PS	726	068–PS
699	R–36	727	129–PS
700	3271–PS	728	318–PS
701	3425–PS	729	374–PS
702	3397–PS	730	651–PS
703	2463–PS; 3270–PS	731	783–PS
704	3254–PS	732	784–PS
705	3468–PS	733	785–PS
706	2278–PS	734	786–PS
707	176–PS	735	788–PS
708	3430–PS	736	1164–PS
709	3564–PS	737	1481–PS
710	3475–PS	738	1482–PS
711	3119–PS	739	1498–PS
712	3593–PS	740	1521–PS

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741	1669-PS	769	D-206
742	1850-PS	770	D-317
743	2331-PS	771	EC-384
744	2333-PS	772	EC-406
745	R-145	773	EC-456
746	L-73	774	EC-495
747	L-135	775	EC-497
748	2277-PS	776	3724-PS
749	2335-PS	777	1639-A-PS
750	2386-PS	778	3739-PS
751	2460-PS	779	3740-PS
752	2472-PS	780	3700-PS
753	2544-PS	781	3575-PS
754	2895-PS	782	3787-PS
755	2955-PS	783	2523-PS
756	2967-PS	784	014-PS
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758	EC-14	786	EC-317
759	EC-27	787	3786-PS
760	EC-28	788	638-PS
761	EC-174	789	1742-PS
762	EC-252	790	3817-PS
763	EC-257	791	Affidavit K
764	EC-404	792	Affidavit L
765	D-157	793	L-50
766	D-167	794	3843-PS
767	D-203	795	3845-PS
768	D-204	796	3846-PS

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797	3870–PS
798	3762–PS
799	3839–PS
800	3838–PS
801	3844–PS
802	3803–PS
803	3840–PS
804	3841–PS
805	3842–PS
806	3855–PS
807	535–PS
808	3876–PS
809	(No. not used)
810	(Summary of documents: D–745–A–B, D–746–A–B, D–747, D–748, D–749–B, D–750, D–626)
811	D–745–A
812	D–745–B
813	D–746–A
814	D–746–B
815	D–747
816	D–748
817	D–749–B
818	D–750
819	3868–PS
820	1975–PS
821	580–PS
822	045–PS
823	1019–PS
824	1517–PS
825	3663–PS
826	3666–PS
827	3428–PS
828	3751–PS
829	(Photographs of Nazi officials identified by Schacht)
830	EC–504
831	D–151
832	EC–433
833	EC–286
834	EC–293
835	(News reel film showing Hitler's arrival in Berlin after fall of France)
836	3936–PS
837	3901–PS
838	Interrogation I
839	EC–255
840	EC–270
841	EC–271
842	EC–488
843	3894–PS
844	1031–PS

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845	(Film showing materials found deposited in vaults of Reichsbank)
846	3944–PS
847	3948–PS
848	3949–PS
849	2263–PS
850	3947–PS
851	3944–PS
852	3951–PS
853	3930–PS
854	3764–PS
855	3763–PS
856	3755–PS
857	3769–PS
858	3751–PS
859	2436–PS
860	2306–PS
861	M–25
862	3927–PS
863	3914–PS
864	3943–PS
865	3877–PS
866	3886–PS
867	3931–PS
868	3933–PS
869	345–PS
870	1137–PS
871	M–45
872	3921–PS
873	D–664
874	EC–440
875	3952–PS
876	3953–PS
877	3954–PS
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882	3992–PS
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885	3398–PS
886	3448–PS
887	3447–PS
888	3450–PS
889	3396–PS
890	4005–PS
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894	D–398
895	D–321
896	D–258
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899	D–283	912	4049–PS
900	D–335	913	4052–PS
901	D–313	914	4048–PS
902	4006–PS	915	4051–PS
903	1452–PS	916	F–967 (Report of Dr. Best on deporting Jews and Communists from France)
904	F–894 (Photograph showing Kaltenbrunner on visit to Mauthausen 1941)	917	F–972 (Report of Dr. Best on fight against Communists in France)
905	F–896 (Photograph showing Kaltenbrunner on visit to Mauthausen 1941)	918	2614–PS
		919	2620–PS
906	F–897 (Photograph showing Kaltenbrunner leaving Mauthausen Camp 1941)	920	4053–PS
		921	4054–PS
		922	4058–PS
		923	4055–PS
907	F–895 (Photograph of Kaltenbrunner in group on way to Mauthausen)	924	4057–PS
		925	4069–PS
		926	459–PS
		927	4064–PS
908	4033–PS	928	4060–PS
909	4032–PS	929	4065–PS
910	R–178	930	4067–PS
911	4050–PS		

LIST OF EXHIBIT NUMBERS ASSIGNED BY THE INTERNATIONAL MILITARY TRIBUNAL TO DOCUMENTS PRESENTED BY GREAT BRITAIN

Exhibit No.	Document No.
GB 1	TC–1
2	TC–2; TC–3; TC–4
3	TC–5; TC–6; TC–7; TC–8; TC–9; TC–10
4	TC–53–A
5	2798–PS
6	TC–49
7	TC–50
8	TC–51
9	TC–52
10	TC–53
11	TC–44
12	TC–11
13	TC–12
14	TC–14
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17	TC–18
18	TC–19
19	TC–26
20	TC–22
21	TC–27
22	TC–28
23	TC–23
24	TC–21
25	TC–70
26	2368–PS
27	TC–73 No. 33
27–A	TC–73 No. 44
27–B	TC–73 No. 45
28	TC–75
29	L–43 (Chart No. 10)
30	2357–PS
31	TC–76
32	TC–29
33	C–137
34	TC–73 No. 48
35	TC–73 No. 49
36	2530–PS
37	TC–73, No. 57
38	TC–73 No. 61
39	TC–72 No. 17
40	TC–72 No. 18
41	C–120
42	TC–72 No. 14
43	TC–72 No. 13
44	TC–72 No. 16
45	C–126
46	C–30
47	TC–71
48	TC–77
49	699–PS
50	TC–72 No. 62

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51	TC–72 No. 53	79	TC–31
52	TC–72 No. 54	80	TC–32
53	TC–72 No. 55	81	C–66
54	795–PS	82	C–122
55	TC–72 No. 56	83	C–5
56	TC–72 No. 60	84	007–PS
57	TC–73 No. 91	85	C–65
58	TC–78; TC–79	86	C–64
59	TC–72 No. 124	87	C–63
60	TC–72 No. 126	88	1809–PS
61	TC–72 No. 127	89	C–174
62	TC–72 No. 139	90	C–115
63	TC–72 No. 141	91	C–151
64	TC–90	92	TC–55
65	TC–72 No. 68	93	TC–56
66	TC–72 No. 74	94	D–628
67	TC–72 No. 75	95	D–627
68	TC–72 No. 78	96	C–41
69	TC–72 No. 79	97	TC–16
70	TC–72 No. 89	98	TC–20
71	TC–72 No. 92	99	TC–33
72	TC–73 No. 112	100	TC–34
73	TC–54	101	TC–42–A
74	TC–72 No. 110	102	TC–36
75	1831–PS	103	TC–40
76	TC–17	104	TC–42
77	TC–24	105	2329–PS
78	TC–30	106	C–62

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107	440–PS	135	1439–PS
108	C–10	136	2953–PS
109	C–72	137	2952–PS
110	TC–58–A	138	D–490
111	TC–58; TC–59	139	957–PS
112	TC–57	140	004–PS
113	TC–60	141	D–629
114	TC–92; TC–93	142	1871–PS
115	2762–PS	143	1842–PS
116	444–PS	144	1195–PS
117	1541–PS	145	TC–25
118	448–PS	146	C–77
119	C–134	147	2508–PS
120	1746–PS	148	D–656
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129	1337–PS	157	L–205
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131	D–636	159	1752–PS
132	2461–PS	160	EC–405
133	2307–PS	161	L–211
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163	UK–20	190	D–652–A–B (Charts showing disposition of U-boats and locations of sinkings)
164	UK–57	191	D–641–A–B–C
165	M–11; M–12; M–13; M–14; M–30	192	D–644
166	2153–PS	193	C–191
167	2154–PS	194	C–21
168	M–20	195	C–118
169	M–34	196	D–642
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172	M–2	199	D–630
173	M–10	200	D–663
174	M–42	201	D–566
175	1757–PS	202	382–PS
176	1965–PS	203	D–645
177	M–43	204	D–647
178	M–1	205	D–646–A
179	M–44	206	2098–PS
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216	D–448
217	2031–PS
218	3260–PS
219	D–654
220	D–638
221	D–659
222	D–662
223	C–38
224	UK–65
225	C–27
226	C–12
227	1807–PS
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244	3376–PS
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247	EC–407
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249	3189–PS
250	2018–PS
251	3201–PS; Chart No. 15)
252	1395–PS
253	2426–PS; 3124–PS
254	M–102
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257	3385–PS
258	1417–PS
259	2124–PS
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262	3258–PS
263	3401–PS
264	M–122
265	837–PS
266	M–107
267	3245–PS
268	R–96

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269	M–116	296	D–741
270	M–117	297	D–740
271	M–118	298	D–762
272	M–119	299	D–764
273	1866–PS	300	D–763
274	UK–66	301	D–766
275	D–39	302	D–765
276	TC–91	303	D–767
277	D–569	304	D–769
278	D–731	305	D–770
279	D–730	306	3819–PS
280	D–665	307	D–774
281	D–729	308	D–775
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287	3319–PS	315	D–782
288	3308–PS	316	D–783
289	D–737	317	D–784
290	D–738	318	D–785
291	2835–PS	319	D–786
292	2818–PS	320	3863–PS
293	3780–PS	321	032–PS
294	D–744–A–B	322	871–PS
295	D–735	323	D–753–A–B

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324	3601–PS
325	1296–PS
326	3873–PS (Page 1394 from German Reich Budget 1939)
327	D–802
328	D–818
329	M–33
330	D–835 (List of Jewish property in Nurnberg and Fuerth which was aryanized)
331	D–809
332	D–810
333	D–811
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337	D–815
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375	M–150

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376	D-788	404	M-184
377	D-789	405	M-185
378	D-790	406	M-186
379	D-791	407	M-187
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395	M-175	423	M-203
396	M-176	424	M-204
397	M-177	425	M-205
398	M-178	426	M-206
399	M-179	427	M-207
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486	1266–PS
487	1265–PS
488	D–547
489	1383–PS
490	754–PS
491	D–582; D–582–B
492	D–606
493	1808–PS
494	1776–PS
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526	D–912
527	3881–PS
528	D–181
529	M–151
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531	D–455 (Pamphlet, "Belgium's contribution to Germany's War Economy, 1 March 1942")
532	D–524
533	D–919
534	D–908
535	1507–PS
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543	D-906	571	D-959
544	1969-PS	572	D-878
545	D-894	573	116
546	D-901-A	574	085
547	D-338	575	086
548	D-922	576	089
549	4045-PS	577	087
550	4024-PS	578	088
551	3546-PS	579	091
552	D-419	580	092
553	D-578	581	015
554	D-945	582	2428-PS
555	D-940	583	065
556	4041-PS	584	010
557	4038-PS	585	011
558	4039-PS	586	008
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594	D-918	612	3993-PS
595	D-976	613	4010-PS
596	4011-PS	614	4009-PS
597	D-964	615	D-923
598	D-975	616	D-936
599	D-968	617	D-930
600	D-969	618	D-972
601	3661-PS	619	D-971
602	D-970	620	(No. not used)
603	4071-PS	621	(No. not used)
604	034	622	(No. not used)
605	2822-PS	623	(No. not used)
606	4043-PS	624	(No. not used)
607	D-951	625	(No. not used)
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A single asterisk (*) before a document indicates that the document was received in evidence at the Nurnberg trial.

VII. Means Used by the Nazi Conspirators in Gaining Control of the German State (Vol. I, p. 184).

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1. Common Objectives, Methods, and Doctrines of the Conspiracy (Vol. I, p. 184).
   (No related documents.)
2. Acquisition of Totalitarian Political Control (Vol. I, p. 199).
   - *D–637 Extract from "Voelkischer Beobachter", 7/8 January 1933, concerning meeting of Hitler and von Papen. (GB 496) 905
   - *D–911 Extract from the "Manchester Guardian", 12 April 1933, concerning barbarism committed by the SA. (GB 512) 1063
3. Consolidation of Totalitarian Political Control (Vol. I, p. 218).
   - *D–637 Extract from "Voelkischer Beobachter", 7/8 January 1933, concerning meeting of Hitler and von Papen. (GB 496) 905
   - *D–911 Extract from the "Manchester Guardian", 12 April 1933, concerning barbarism committed by the SA. (GB 512) 1063
4. Purge of Political Opponents and Terrorization (Vol. I, p. 239).
   - *D–911 Extract from the "Manchester Guardian", 12 April 1933, concerning barbarism committed by the SA. (GB 512) 1063
5. Destruction of the Free Trade Unions and Acquisition of Control over the Productive Labor Capacity (Vol. I, p. 252).
   (No related documents.)
6. Suppression of the Christian Churches (Vol I, p. 263).
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